

to the Senate with the recommendation that it do pass.

BUCHANAN of Bell,
Chairman.

Committee Room,
Austin, Texas, Jan. 15, 1919.
Hon. J. J. Strickland, President of
the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. B. No. 5, A bill to be entitled "An Act to amend Title 49, Chapter 9, of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to anyone ineligible to hold office in this State, and prohibiting the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this Act, and conferring jurisdiction upon all the District Courts of the State in cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency,"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BUCHANAN of Bell,
Chairman.

Committee Room,
Austin, Texas, Jan. 15, 1919.
Hon. J. J. Strickland, President of
the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, being a resolution to be entitled "A Joint Resolution proposing and submitting to the people of Texas an amendment to Section 44, Article XVI, of the Constitution of the State of Texas, so as to abolish the office of County Treasurer,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BUCHANAN of Bell,
Chairman.

(Floor Report.)

Austin, Texas, Jan. 16, 1919.
To the President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. C. R. No. 7, relating to canvassing returns and declaring result of election for Governor and Lieutenant Governor,

Have had same under consideration, and report same back to the Senate with recommendation that same do pass, and be not printed.

BUCHANAN of Scurry,
GIBSON,
DAYTON,
DEAN,
DOROUGH,
FLOYD,
ALDERDICE.

Committee Room,
Austin, Texas, Jan. 15, 1919.
To the President of the Senate.
Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 11, A bill to be entitled "An Act to require the owner, agent or lessee of any land or any present interest therein, on which any stream is located, in whole or in part, which overflows its banks and floods the land of other persons under cultivation, to keep the timber, underbrush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor, prescribing a penalty, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

DUDLEY.

FOURTH DAY.

Senate Chamber,
Austin, Texas, Jan. 17, 1919.
The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by President Pro Tem. Strickland.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Williford.
Floyd.	Woods.

Absent—Excused.

Carlock.	Westbrook.
Clark.	Witt.
Cousins	Woodward.
Johnston.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator Witt was excused for today on account of important business, on motion of Senator Buchanan of Scurry.

Petitions and Memorials.

There were none today.

Committee Reports.

See Appendix.

Committee Resignation.

The Secretary read the followings:

Hon. J. J. Strickland, President of the Senate.

Please accept my resignation from Committee on Claims and Accounts.
R. M. DUDLEY.

The resignation was accepted.

Committee Appointment.

The Chair announced the appointment of Senator Hall as a member

of the Committee on Mining, Irrigation and Drainage.

Bills and Resolutions.

Simple Resolution No. 17.

Whereas, There are certain positions occupied by employes in the Senate, who, at times, are not crowded with work; and

Whereas, There are certain other positions that are overcrowded with work; therefore, be it

Resolved by the Senate, That the Lieutenant Governor, or the President Pro Tem. of the Senate, be, and is hereby, authorized to use any of the employes, except secretaries to Senators, who may not be needed for the time being in their assigned places, for any other work in the Senate where their services may be required—in the judgment of the Lieutenant Governor or the President Pro Tempore of the Senate.

DAYTON.

The resolution was read and adopted.

Simple Resolution No. 18.

Whereas, The duties of the Secretary and Journal Clerk of the Senate entail considerable correspondence; therefore, be it

Resolved, That the Sergeant-at-Arms be, and is hereby, instructed to furnish to said officers of the Senate postage stamps necessary for their correspondence.

CALDWELL.

The resolution was read and adopted.

Simple Resolution No. 19.

Whereas, On yesterday, January 17, 1919, thirty-six States of the Union had ratified the national prohibition amendments, putting into effect the prohibition of the liquor traffic over our entire country, thereby consummating the greatest piece of moral legislation in the history of the world; and

Whereas, The Hon. Morris Shepard, junior United States Senator from Texas, was the author of this important measure, which will distinguish him in a most enviable light,

as well as to reflect honor upon our great State and bring a general blessing to the people of our great nation; be it

Resolved, That the Senate of the State of Texas extend to the Hon. Morris Sheppard our profound congratulations upon his crowning achievements in the matter of supreme moral legislation.

FLOYD.

The resolution was read and adopted.

Joint Committee Appointed.

The Chair, pursuant to S. C. R. No. 1, relating to canvass of vote for Governor and Lieutenant Governor, adopted on last Tuesday, appointed the following Senators on the part of the Senate as members of the committee therein provided for, to-wit: Senators Woods, Suiter and Dean.

S. B. No. 27 Re-Referred.

Senator Dean asked that S. B. No. 27 be withdrawn from the Committee on Civil Jurisprudence and referred to the Committee on Finance.

There was no objection, and the bill was referred accordingly.

Executive Session—Time Set.

Senator McNealus moved that the Senate go into executive session on next Monday, January 21st, at 11 o'clock a. m., for the purpose of considering the recess appointments by the Governor.

The motion prevailed, and the time was accordingly set.

Bills and Resolutions.

By Senator McNealus:

S. B. No. 52, A bill to be entitled "An Act prohibiting the employment of children under fifteen (15) years of age in certain occupations, and under seventeen (17) years of age in certain other occupations, prescribing certain duties of employers of children, fixing the hours children can be employed, prohibiting employment of children under seventeen (17) years of age at night, providing for one day of rest for children each week, making it a misdemeanor for

parents or others having control of children to make false statements or to misrepresent conditions with a view to securing employment for such child or children, limiting defenses of employers of children, providing for issuance of permits to children under certain conditions by County Judges, making the issuance of permits by County Judges in violation of the requirements of the Act malfeasance in office, conferring authority on the Commissioner of the Bureau of Labor Statistics, his deputies and inspectors, providing for employment of children over twelve (12) years of age in certain employments between June 1 and September 1, defining certain words and phrases, repealing laws in conflict therewith, and declaring an emergency."

Read first time, and referred to Committee on Labor.

By Senator McNealus:

S. B. No. 53, A bill to be entitled "An Act requiring the employment of citizens of the United States on public work, providing that any violation of the Act shall render all contracts with the State, county or municipality void, requiring all boards, officers, agents or employes of the State, county or municipalities having the power to enter into contracts for public work, to file in the office of the Commissioner of Labor Statistics the names and addresses of all contractors holding contracts with the State, county or municipality to furnish the Commissioner of Labor Statistics with the names and addresses of all sub-contractors on public work, requiring all contractors to keep a list of all employes, stating whether they are natural-born or naturalized citizens of the United States, and providing that all such lists shall be open to the inspection of the Commissioner of Labor Statistics; providing penalties, and declaring an emergency."

Read first time, and referred to Committee on Labor.

By Senator McNealus:

S. B. No. 54, A bill to be entitled "An Act establishing a State athletic commission and regulating the art of boxing and sparring exhibitions or performances in the State of Texas."

Read first time, and referred to Committee on State Affairs.

By Senator Bailey:

S. B. No. 55, A bill to be entitled "An Act to provide that all persons leasing or renting lands or tenements, at will or for a term, shall have a preference lien upon the property of the tenant hereinafter indicated, upon such premises for any rent that may become due and for all money, and the value of all animals, tools, provisions and supplies furnished by the landlord to the tenant to enable the tenant to make a crop on such premises; and to gather, secure, house and put the same in condition for market, the money, animals, tools, provisions and supplies so furnished being necessary for that purpose, whether the same is to be paid in money, agricultural products or other property; and providing that such lien shall apply to animals, tools and other property furnished by the landlord to the tenant and to the crop raised on such rented premises; provided further, that it shall not be lawful for the tenant, while the rent and such advances remain unpaid, to remove or permit to be removed from the premises so leased or rented any of the agricultural products produced thereon, or any of the animals, tools or property furnished as aforesaid without the consent of the landlord; repealing Chapter 38, Acts of the Regular Session of the Thirty-fourth Legislature, 1915, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senators Witt and Caldwell:

S. B. No. 56, A bill to be entitled "An Act providing for the compensation of the clerk of the Court of Civil Appeals of the Third Supreme Judicial District, the appointment of a deputy and the disposition of the costs to be collected by said clerk, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senators Caldwell and Dorrough:

S. B. No. 57, A bill to be entitled "An Act to amend Article 1003, Article 1004 and Article 1005, of the Revised Civil Statutes of the State of Texas of 1911, relating to the condemnation by incorporated cities and towns and public utility companies or corporations of private property for opening or widening of streets, avenues or alleys, or for the con-

struction of water mains, reservoirs or standpipes or sewers, or establishing hospitals or pesthouses and laying sewer pipes and acquiring outfall, etc., when deemed necessary, and providing for condemnation by cities and towns of private property for the purpose of construction, extension, operation and maintenance of a gas plant, or electric light plant, or water works plant, or sewer system, or the establishment of hospitals or pesthouses, by paying just compensation therefor, and providing the proceedings therefor, and authorizing any public service company or corporation organized and chartered under the laws of Texas for the purpose of furnishing gas, electric light or water to any city or town or the inhabitants thereof, to condemn and appropriate any private property reasonably necessary for its use for such purposes, by paying just compensation therefor, and providing the proceedings therefor, to repeal any laws in conflict herewith and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 58, A bill to be entitled "An Act making provision for the erection by the State of Texas of a monument on the Capitol grounds at Austin, Texas, in honor of those in the military service of the United States who gave their lives in the late war between the United States and Germany and Austria-Hungary; constituting the Governor, Attorney General and Superintendent of Public Buildings and Grounds a board to carry out the purposes of the Act, making an appropriation of twenty-five thousand (\$25,000.00) dollars to carry out the purposes of this Act, and declaring an emergency."

Read first time, and referred to Committee on Military Affairs.

By Senator Dean:

S. B. No. 59, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Dudley:

S. B. No. 60, A bill to be entitled "An Act limiting the hours for duty of regular paid firemen belonging to fire departments in cities of 15,000 inhabitants or more, and providing for the adoption of the 'double platoon system'; providing penalties for the violation of this Act, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Strickland:

S. C. R. No. 6, relating to the removal of the general offices and shops of the International and Great Northern Railway located at Palestine, Texas.

Read first time, and referred to the Committee on Federal Relations.

Simple Resolution No. 20.

Since all Americans have been requested to celebrate the 213th birthday of Benjamin Franklin, the Great Apostle of Thrift, who was born January 17th, 1706, who set our nation such splendid examples of intelligent economy and the science of saving and wise spending;

And since this day has been set apart for the launching of the thrift campaign in the United States;

And since the Government is honoring the memory of this "Great Saver" and first Postmaster General of the United States by placing his likeness on the 1919 war savings stamps,

I move you that when this body adjourns today that we do so in honor of the day and of Benjamin Franklin.

SMITH.

The resolution was read and adopted.

Simple Resolution No. 21.

Resolved, That five copies of the Senate Journal be delivered each day by the Sergeant-at-Arms to the Governor's secretary.

CALDWELL.

The resolution was read and adopted.

Simple Resolution No. 22.

Resolved, That Rule No. 29 of the Senate Rules be amended so as to hereafter read as follows:

Rule 29. A bill, when introduced, shall be read and referred to a committee; but no bill shall be introduced or signed by more than three Senators. The first reading of the bill, if a Senate bill, shall be the reading thereof, when first introduced; if a House bill, the reading thereof when submitted to the Senate. And all House bills, when received in the Senate, shall be read and referred to a committee. No action shall be taken upon a bill, accepting, rejecting or amending the same, until it has been reported upon by the committee. And it shall be the duty of each committee of the Senate, when there has been referred to it or is before it for consideration a Senate bill and a House bill containing the same subject, to first consider and report upon the House bill.

BAILEY.

The resolution was read, and referred to the Committee on Rules.

Messages From the Governor.

Governor's Office,
Austin Texas, Jan. 15, 1919.

To the Senate of the Thirty-sixth Legislature of Texas:

I ask the advice, consent and confirmation of the Senate in the following recess appointments:

To be judge of the Twelfth District, Ben H. Powell of Walker County, vice E. A. Berry, resigned; appointed January 1, 1919.

To be member of State Board of Normal Regents, J. A. Elkins of Houston, vice Joe S. Kendall of Dallas, resigned; appointed December 24, 1918.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, Jan. 15, 1919.

To the Texas Senate:

I ask the advice, consent and confirmation of the Senate to the following appointment, made under date of January 15, 1919:

Hon. Louis J. Wortham, to be a member of the Board of Regents of

the University of Texas, vice Colonel George W. Brackenridge, resigned.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, Jan. 15, 1919.

To the Senate of the Thirty-sixth Legislature of Texas:

I ask the advice, consent and confirmation of the Senate in the following recess appointments:

To be member of Board of Managers, State Epileptic Colony, C. T. Beckam of Trent, Texas, vice H. B. Cook, resigned; appointed September 13th, 1918.

To be member of Board of Public Accountancy, T. E. Allday of Wichita Falls, Texas, vice E. F. Hunter of San Antonio, resigned; appointed April 29th, 1918.

To be member of State Board of Health, Dr. Guy Reed of Beaumont, Texas, vice L. M. Weinfield of San Antonio, resigned; appointed November 13th, 1918.

To be member of Board of Water Engineers, John A. Norris of Wharton, Texas, vice R. J. Windrow of Waco, resigned; appointed May 4th, 1918.

To be member of Industrial Accident Board, J. H. Proctor of Houston, Texas, vice J. H. Fricke of Galveston, Texas, appointed August 12, 1918; J. H. Fowler of San Antonio, appointed to succeed himself, August 12th, 1918.

To be Branch Pilots, Sabine Pass, River and Tributaries: Joseph Corthell of Port Arthur, Texas, appointed August 1, 1918; Thomas H. Shepherd of Port Arthur, Texas, appointed August 1, 1918.

To be Public Weigher for Galveston, Worthy Boyd of Galveston.

To be Public Weigher for Texas City, J. V. Kerner of Texas City, appointed December 13th, 1918.

To be Public Weighers for Houston: R. C. Blalock of Houston, Texas, appointed August 12th, 1918; John D. Woolford Jr. of Houston, Texas, vice John D. Woolford Sr. of Houston, deceased, appointed November 13th, 1918.

To be member of State Highway Commission, C. S. Fowler of San Antonio, Texas, vice J. G. Fowler, resigned; appointed November 19th, 1918.

To be Branch Pilot for Port Aran-

sas, J. E. Cotter of Port Aransas, Texas, appointed October 28th, 1918.

To be member of Board of Managers, State Deaf and Dumb Institute, Dr. H. B. Granberry of Austin, Texas, vice William Bohn, deceased; appointed November 19th, 1918.

To be Member of Board of Managers of Confederate Home, Captain W. R. Davie of Austin, Texas, vice W. C. Walsh, resigned; appointed October 29th, 1918.

To be members of Section A, Commission of Appeals: Leon Sonfield of Beaumont, Texas, appointed August 12th, 1918; Beeman Strong of Nacogdoches, Texas, appointed August 12th, 1918; W. M. Taylor of Dallas, Texas, appointed August 12th, 1918.

To be members of Section B, Commission of Appeals: J. T. Montgomery of Wichita Falls, Texas, appointed August 12th, 1918; S. P. Sadler of Gatesville, Texas, appointed August 12th, 1918; J. W. McClendon of Austin, Texas, appointed August 12th, 1918.

To be judge of the Fourth District Court, Charles L. Brachfield of Henderson, Texas, vice Daniel Walker of Henderson, resigned; appointed December 17th, 1918.

To be judge of the 47th District Court, Henry S. Bishop of Amarillo, Texas, vice Hugh Umphres of Claude, resigned; appointed October 10th, 1918.

To be judge of the 59th District Court, F. E. Wilcox of McKinney, Texas, vice M. H. Garnett of McKinney, deceased; appointed August 24th, 1918.

To be judge of the 85th District Court, W. C. Davis of Bryan, Texas, vice H. S. Morehead of Franklin, resigned; appointed November 25th, 1918.

To be judge of the 16th District Court, C. R. Pearman of Gainesville, Texas, vice John Speer, resigned; appointed January 1st, 1919.

To be District Attorney of the 31st District, E. J. Pickens of Canadian, Texas, vice J. A. Holmes of Miami, resigned; appointed December 28th, 1918.

To be District Attorney for the 83d District, R. D. Blaydes of Fort Stockton, Texas, vice W. C. Jackson of Fort Stockton, resigned; appointed November 16th, 1918.

To be Public Weigher for Texas City, George W. Lanman of Texas

City, Texas, appointed November 15, 1918.

To be member of State Council of Defense, J. A. Thompson of Corsicana, vice Louis Adoue of Galveston, deceased; appointed October 31st, 1918.

To be Criminal District Attorney of Harris County: J. A. Elkins of Houston, vice John H. Crooker, resigned, appointed August 7th, 1918; E. T. Branch of Houston, vice J. A. Elkins, resigned, appointed November 6th, 1918.

To be members of Board of Park Commissioners of Washington Park: Mrs. R. E. Pennington of Brenham, Texas; F. W. Schurenberg of Brenham, Texas, and Walker Moore of Navasota, Texas; appointed November 27th, 1918.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

The Chair referred the above to the Committee on Nominations by the Governor.

Message From the Governor.

Governor's Office,
Austin, Texas, Jan. 14, 1919.

To the Thirty-sixth Legislature in Regular Session Assembled:

In accordance with Article 4, Section 9, of the Constitution, it is my privilege to communicate with you as to the condition of the State, recommending certain legislation, rendering an account of public moneys received and paid out by me as Governor, and to provide you with an estimate of the amount of money which shall be required for the maintenance of the State Government for all purposes. I shall reserve for a later communication, at the beginning of my regular term, specific recommendations with respect to several vital subjects of legislation which in my judgment demand the most serious consideration at your hands.

It is in order at this time to refer briefly to the record of the present administration, since I became the constitutional Governor, September 25, 1917.

Laws of the Thirty-fifth Legislature.

The Thirty-fifth Legislature was in session in its Second Called Session

when I assumed the duties as Acting Governor of the State, August 25, 1917. This session expired by limitation of law on August 30, 1917. Due to the fact that the Legislature was engaged in important duties, and for necessities enumerated in the proclamation reconvening it, the Legislature convened in its Third Called Session August 31, 1917, and remained in session one month.

During the Third Called Session the Legislature enacted many laws which will prove beneficial to the people of Texas. A few of them will be enumerated.

The country being in a state of war, the Legislature passed a law for the relief of soldiers and sailors in the service of the United States by providing that they shall not be required to answer to the merits of a demand sued upon them while actively engaged as a soldier or sailor in the war; requiring them to answer within 90 days after the signing of the treaty of peace between the United States and Germany. The object of the Legislature in this act was two fold, viz.: to protect the interests of the soldier who was fighting for us, and, to relieve his mind of the worry and uneasiness which might greatly interfere with his work.

It became apparent that the Thirty-fifth Legislature, in its zeal for promoting the cause of education had authorized the establishment of more educational institutions than could have been paid for by the revenues which the State could have received during the current biennium within the constitutional limit of taxation. Accordingly, upon my suggestion, a bill was passed, repealing an act passed by the Regular Session of the Thirty-fifth Legislature, establishing a branch of the Agricultural and Mechanical College in Western Texas, also repealing a law of the Regular Session of the Thirty-fifth Legislature establishing a junior agricultural college in East Texas. A law was also enacted postponing the construction of three normal colleges designated as the Sul Ross Normal College, the Stephen F. Austin State Normal College, the South Texas State Normal College, which institutions were authorized during the Regular Session of the Thirty-fifth Legislature.

There was imminent danger in the summer of 1917 that the Federal

authorities would impose an embargo against all Texas cotton unless legal steps were taken by this State to prevent the spread of the cotton pest commonly known as the pink boll worm. Accordingly, the law on this subject was made more stringent.

Certain laws were passed regulating the sale of liquor in local option territory, limiting and safeguarding the sale of alcohol by wholesale and retail druggists.

The Legislature passed a law providing for the creation and regulation of home guard companies under the direction of the county commissioners courts of the State.

A law was enacted making certain the procedure in impeachment trials. This law is cumulative of all other laws and methods pertaining to the removal of public officials.

A law was passed defining and regulating insurance agents, providing for licensing such immigrant agents and exempting from the operation of the act all municipal employment bureaus and employment agencies operated for charitable purposes. This law was enacted to protect the laborer from imposition by unscrupulous immigrant agents and to afford for him the privilege of all such agencies operated without profit and for the sole benefit of the laborer.

Early in the year 1918 it became apparent that the Legislature should be convened in its Fourth Called Session for the purpose of enacting certain laws to protect the soldiers in training in Texas and to render the State of Texas more efficient as an agency for winning the war, and to enact legislation for the relief of citizens suffering from the severe drouth.

To this end the Thirty-fifth Legislature was convened in extraordinary session February 25, 1918, and adjourned one month later. I feel that the record made during that session of the Legislature may well be cited with credit to its members and to this administration. Mention will be made of a few of the beneficial laws enacted during the thirty-day session.

Four laws were enacted designed to protect the soldier in our midst from the evil influence of intoxicating liquors. Chief among them was the law prohibiting the sale of liquor in ten miles of any army camp or training place for soldiers. This law prac-

tically banished saloons from Texas. The courts sustained this legislation and the protection sought has been provided.

When the Legislature had passed these regulatory measures for the protection of the soldier in uniform, the same inspiration led them to pass a law providing restrictions as applied to civilians. Accordingly the State-wide prohibition law was enacted.

Not only were the soldiers in Texas protected against the traffic in alcoholic liquors, but there was immediate need for protecting them against the diseases which follow in the wake of vice. Accordingly the Legislature enacted laws to stop immoral practices and to remove immoral persons from around the army camps of Texas. General legislation was enacted along this line designed for the improvement and preservation of the public health, applicable for the like benefit of soldier and civilian.

Laws were enacted making it compulsory for the teachers in the schools of this State to teach the pupils the principles of patriotism, and requiring the American flag to be exhibited on every public school. This law has accomplished a useful purpose in offsetting the insidious propaganda of the enemy.

Laws were passed designed to purify the ballot, to the end that the voter might register his will with the assurance that it would be properly recorded. The right of an alien to participate in the Texas primaries was eliminated, and hereafter only naturalized citizens of the United States and of this State can lawfully participate in the primaries.

At a time when a large per cent of our men were either in the army or subject to military duty upon immediate call, the Legislature passed a law authorizing the women of Texas to participate in the party primaries, thus registering their wishes in the selection of public officials.

A law was enacted defining rape, raising the age of consent to 18 years, further protecting the virtue of the young girls of the State.

The Legislature passed a law providing penalty for contribution to delinquency of any minor under 17 years of age.

At a time when many of the men had left their positions in the fac-

tories and mills, it had become necessary for women to take their places. This made a need for increased protection of female employees. A law of this character was enacted by the Legislature.

Realizing that the superintendents of public instruction of the various counties of the State were receiving salaries much lower than the salaries received by city superintendents having no greater duties to perform, and mindful of the great service being rendered by them, the Legislature passed a law increasing their salaries.

Many of the men who volunteered their services in the war left the schoolroom where they had been employed as teachers. In a spirit of fairness, and as a tribute to their patriotism, the Legislature granted to the State Superintendent of Public Instruction authority to extend the certificates of these teachers upon proper application, for a period equal to that for which the applicant was engaged in the service of the United States.

A law was passed authorizing counties, acting through their commissioners' courts, to purchase seed to be planted on farms in such counties by residents thereof who were financially unable to procure seed on account of the conditions brought about by the continued drouth which had visited a great section of the State for the three years previous. Provisions were made in the law authorizing the State of Texas to lend money to the various counties for this purpose, to be repaid within two years. For this purpose the sum of \$2,000,000 was appropriated. More than a half million dollars was loaned under the provisions of the Act, the remaining appropriation reverting to the general revenue.

The Thirty-fifth Legislature in its regular session approved the payment of indebtedness of the State Prison System contracted by the Prison Commissioners prior to January 7, 1915, and made provision for the payment, by the State, of one-half of such indebtedness at a date not before November 1, 1917, and the remaining one-half not before November 1, 1918. The Legislature in the fourth called session enacted a law requiring the Prison System to repay to the State the sum of \$362,432.43 which had thus been paid for its debts out of the general revenue of

the State. This law virtually refunded to the Treasury half the amount paid by the State for the Prison System's debts and the Prison System will at a time when it is least hurtful to the system, refund to the State the amounts paid since November 1, 1918.

A law was enacted authorizing the investment in war savings certificates and other government securities of the sinking funds of counties, cities, towns and school districts.

A law was enacted amending the primary election law so as to require a majority vote to nominate for State and district offices.

Earnings Under State War Securities Investment Law.

One of the most beneficial laws passed during the Thirty-fifth Legislature was that authorizing the State Treasurer to invest State funds in certain Government securities. The law was enacted by the Legislature with a two-fold purpose, viz., to assist the United States Treasury in financing the war, and to realize for the taxpayers of Texas an adequate rate of interest for the use of their public funds which otherwise would have remained idle. This law was approved and became effective on the first day of March, 1918, having been passed on the fifth day of the session. No time was lost in making funds immediately available for the investment. The State has realized in interest on investment in United States Treasury certificates \$180,535.91. At one time the State had \$8,000,000 invested in these Treasury certificates. The present amount of \$3,200,000 is the smallest invested since the Act became effective, but an additional \$3,200,000 has been reinvested for maturity in April, on which there is now some accrued interest not accounted for in the statement above.

In addition to the investment in United States Treasury certificates, certain funds of the various State institutions have been invested in Liberty Bonds, to the total amount of \$54,750. The interest earned on Liberty Bonds to date, since their purchase, is \$1,161.66. In addition to the patriotism manifested by the State of Texas, there has been realized, for the public benefit, up to January 1, 1919, interest amounting to \$181,697.57.

State Department.

Particular attention is invited to the report of the Secretary of State. This report shows that net receipts of the Department for the two fiscal years ending August 31, 1918, to be \$1,593,491.55, and since the total appropriations for the support of this Department for the two years amounted to \$50,147, the net earnings of the biennium amounted to \$1,443,344.55.

In the report the Secretary of State suggests that the law be amended requiring dissolution certificates of insurance companies to be filed with the Commissioner of Insurance and Banking; that certain contracts, liens, etc., be recorded with the Secretary of State; that the law be amended with reference to payment of franchise taxes by foreign corporations, so as to require foreign corporations to pay taxes on business done in this State on the same basis as domestic corporations doing the same volume of business.

Administration of the Selective Service Law.

Among the duties which devolved upon me as Governor during the year past was the administration of the Selective Service law in Texas. An army officer was assigned to the Governor of each State to assist with this important work. Upon my request, Major John C. Townes Jr. was assigned to me and was placed in direct charge of the work under my general supervision.

The Selective Service organization consisted of State headquarters, in charge of Major Townes under my direction, four district exemption boards of seven members each, 280 local exemption boards of three members each; 280 Government appeal agents; 282 boards of instruction consisting of three members each; fifteen medical advisory boards consisting of twelve members each, and seven inspectors.

On June 5, 1917, 417,689 men registered in Texas. On June 5, 1918, 34,161 men registered; on August 24, 1918, approximately 8,000 men registered, and on September 12, 1918, 528,218 men registered, making a total registration in Texas of 988,068, or practically one million men. Texas has slightly less than five per cent of the population of the

United States. Under draft calls, we have furnished 83,072 white men and 28,118 negroes, a total of 111,190 men furnished through the draft process. By enlistment and voluntary induction we have furnished an additional 45,963 men to the army who were in the draft age. These figures do not include any men in the new National Guard organization who are within the draft age. To the figures mentioned should be added those registrants who have joined the Navy and Marine Corps and those registrants who have enlisted in the army since March, 1918. I feel confident that a conservative estimate is 25,000 men, who have volunteered in these several branches, and therefore we are justified in stating that Texas has furnished up to the present time as many as 182,153 men, not counting the new National Guard organization. In other words, Texas has furnished its full share of the fighting forces of the United States.

The draft law has been administered at the expense of the Federal Government, funds having been disbursed under the direction of the Governor. The total disbursements up to January 1st, 1919, amounted to \$1,065,495.34. This amount has been expended in the registration of men within the draft age, the classification of these registrants, the physical examination of those men who have been determined to be subject to military service, the summoning and entrainment of registrants and the miscellaneous expense incident to maintenance of this immense organization, consisting as it does of hundreds of board members and clerks.

General Crowder's final report to the Secretary of War on the operation of the draft in the United States has not been completed. His last report (subdivision 2, page 30) shows that in the several States the per capita cost of men accepted for military service ranges between \$1.57 and \$19.00. His report further shows that the average cost per capita in the various States has been \$4.93 and that the per capita cost in Texas has been \$3.88. Considering the size of the State and the natural obstacles confronting us in the administration of the draft in Texas, this record is remarkably good and conclusively indicates the economical and efficient manner in which the Selective Service Law has been administered in Texas.

As a means of raising an army the draft has been a signal success in Texas. The Selective Service Law has been administered honestly and efficiently without fear or favor and those citizens who could best be spared from the industrial and home life of our State have been sent to camp while those engaged in civilian pursuits essential to the winning of the war and those who have dependent families have been permitted to remain at home.

One of the most important incidents of the draft has been the physical examination of thousands of the young men of Texas by competent patriotic physicians. The men placed in the deferred classes were not examined physically; the examinations covering only those men determined by the boards to be immediately available for military service. These examinations were made with great care; some twenty thousand doubtful cases being referred by the local boards to specialists composing the medical advisory boards for special study and re-examination. While the results of these examinations compare favorably with the results obtained in other States, it is alarming to note that among the comparatively small number of men examined, it was discovered that approximately twenty-five hundred are suffering from consumption or are inclined toward incipient tuberculosis. We discovered approximately six hundred cases of epilepsy, about 450 of which were outside of the State Epileptic colony and probably unknown to the officials in charge of the colony. We also discovered several hundred cases of trachoma as well as other less vicious contagious diseases too numerous to enumerate here.

Major Townes has prepared a detailed list showing the names and addresses of the various men afflicted with these disorders. A large per cent of these afflicted citizens can no doubt be entirely cured. In my judgment we would be derelict in our duty if we should fail to avail ourselves of the valuable data compiled by the Selective Service Department with a view of improving the public health of the State.

Major Townes has completed and submitted to me a most interesting and valuable detailed report covering

the operation of the draft in Texas. This report is available for the information of the Legislature.

Adjutant General's Department.

Under the direction of the Governor, the Adjutant General has accomplished the organization of two brigades of cavalry and one brigade of infantry, a total of 534 officers and 14,723 enlisted men. The two brigades composing the cavalry section of the National Guard were first completed and Federal recognition was accorded them in August, 1918. They were designated by the War Department for training at Leon Springs, and at the completion of a ten weeks' course in the Central Cavalry Officers' Training Camp, they were ordered to be mobilized for active service on January 2, 1919. The infantry brigade was also designated by the Secretary of War for Federal Service. The cost of organization and administration of the National Guard was substantially \$202,549.84, a per capita cost of approximately \$12.00. The sum of \$43,098 was paid out of the fund appropriated for military purposes to the officers of the Thirty-sixth Division as a refund for organization expenses borne by them. To meet this expense \$64,363.71 of the \$350,000 appropriation last made by the Thirty-fifth Legislature was used, leaving unexpended of that appropriation \$285,636.29.

In addition to the organization of the New Texas National Guard, Adjutant General Harley has had direct charge of the Texas Ranger force. In my opinion this force has never rendered more efficient service to the State and to the Federal Government since its organization than during the war with Germany, when German propaganda was being spread over the country. The regular Rangers, the Loyalty Secret Service Department and the special Rangers have worked in unison with the city and county officials to keep down disloyalty, apprehend deserters, alleviate unsettled conditions along the border and contribute their efforts toward the successful prosecution of the war.

Total disbursements of the Ranger force from January 1, 1918, to November 1, 1918, amounted to \$203,466.80. This includes salaries, equipment for the entire force, and expenses of all kinds.

A claim for reimbursement of approximately \$7,500, expended in arranging the details of the Selective Service organization, is now pending with the Federal government.

In this connection, the following letter, dated December 11, 1918, addressed to the Governor, from Honorable Newton D. Baker, Secretary of War, is quoted:

"When the Legislature of Texas convenes in January it will undoubtedly be necessary for you to bring to its attention the expenditures made by the State in the organization of the New National Guard, consisting of cavalry and infantry regiments which were gotten together and prepared for acceptance by the Federal government. This designation, as you know, had in fact been made by the War Department, and it was our confident expectation that they would be very useful, particularly if the European war had continued. Upon the signing of the armistice, it became apparent that the troops already in the Federal service would be more than adequate for any uses then in contemplation; but I cannot allow the occasion to go by without thanking you and the State of Texas for your whole-hearted and effective co-operation, and for the zeal and energy with which this body of new troops was made ready for national use."

While the personal ambition for active service of our men and officers was not realized on account of the fortunate early conclusion of the war, yet none were so selfish as to regret the successful peace and we take pride in the fact that Texas now has a National Guard organization second in quality to none in the United States.

Drouth Relief.

Reference has been made heretofore to the action of the Legislature in passing the law designed to render adequate relief in-so-far as possible to farmers suffering from the severe drouth which has affected a large part of Texas during the past three years. The Act of the Legislature was not far-reaching enough to help many deserving ones without means, and accordingly I appealed to the public for a voluntary fund. Responding to this appeal with their accustomed eagerness to help their fellowmen, the citizens of this State and some of their friends in other

States contributed by January 8, 1919, the sum of \$276,119.18.

This fund was placed at my disposal to be administered in relieving the conditions in such way as might be deemed proper. The people who contributed to this fund did so as an expression of their appreciation for the efforts which the citizens in the great drouth-stricken section of the State were making to render their fertile fields productive of crops so badly needed by our country in its crisis, and to carry them through a year of devastation.

To act in an advisory capacity in the distribution of this fund, I selected a committee of business men from various parts of the State especially acquainted with the conditions of the drouth-stricken area. These men have unselfishly devoted their time and talent to the task. At my urgent request the late Col. W. W. Seley of Waco acted as administrator of the fund and until the date of his untimely death, unselfishly devoted a large part of his time to the administration of this fund. I cannot forego the opportunity of saying that the State owes to his memory a debt of gratitude for performing this patriotic service at his own expense.

The committee concluded to accept promissory notes from the recipients of this fund. This procedure was adopted to relieve the feelings of those who might be embarrassed if they felt that they were the recipients of charity. Besides being a receipt for the money, the note impresses on the mind of the recipient that he has the opportunity of repaying the loan should his condition ever permit that action. Of course the committee will not enforce or even ask payment of the notes. An exact record is kept of the names of all donors, which record is kept on file in the Governor's office.

Since the death of Colonel Seley, Senator F. C. Weinert, Commissioner of Warehouses and Markets, has been appointed by me to administer the fund, with the advice and counsel of the committee.

No part of the contributed funds have been or will be spent for expenses of administering the fund, all of which is accomplished through voluntary labor. The donors have been assured that every dollar contributed will eventually reach one who is in

need and who will appreciate the use of the money.

A statement of this account, compiled January 8, shows that a total of \$235,933.05 had, to that date, been distributed in the manner herein outlined, which leaves a remaining balance of \$40,186.15 in the fund to be distributed.

Department of the Game, Fish and Oyster Commissioner.

The report of the Game, Fish and Oyster Commissioner for the year ending August 31, 1918, showed a net income above all expenses for the year of \$34,955.58. The total income of this department was \$86,366.46 and total disbursements \$51,410.88.

This report showed that 1,400,000 black bass were shipped from the fish hatchery at Dallas, to various points in the State for the purpose of stocking lakes and fish-ponds in Texas.

Illustrative of the magnitude of the fish and oyster business, 231,855 barrels of oysters and 14,363,955 pounds of fish were handled in the last fiscal year. Collections from mineral rights and from hunting licenses amounted to \$41,268.51; and the property account of this department, on August 31, 1918, amounted to \$51,327.65.

Confederate Woman's Home.

The report of the Board of Managers for the Confederate Woman's Home reflects the following facts: The institution is operated at an annual cost of \$18,000, the per capita cost of caring for the 84 inmates being \$214.28 per year or \$17.85 per month.

Board of Water Engineers.

The Board of Water engineers in its biennial report emphasizes the wonderful resources of the State of Texas which have been wasted through a failure to conserve the water-power of the State. These resources, long dormant and capable of producing much wealth, are rapidly becoming available through the efforts of this department.

The report reflects the work of the Board in encouraging the construction of water storage reservoirs to the end that storm and flood waters may be impounded and held for beneficial use instead of being allowed to pass to the sea.

The Board has also devoted considerable time in adjudicating conflicting claims to water rights along rivers and streams throughout the State.

General Land Office.

Your attention is directed to the suggestions made in the report of the Commissioner of the General Land Office.

The new land office building authorized by the Thirty-fourth Legislature is now occupied by various State departments. This building, when completed, will have cost the State \$304,514.

The completion of this building has substantially relieved the crowded condition of the capitol building.

Attorney General's Department.

The State's legal business has been carefully and efficiently administered by the Attorney General and his staff. During the two years, a total of 267 cases have been handled by the department, or a total of 491 cases during the six years of General Looney's occupancy of the office. As a result of this litigation during the last six years there have been collected and turned into the State treasury more than \$1,100,000.

The annual cost of this department, including the additional appropriation for law enforcement, for the year ending August 31, 1918, amounted to \$57,000.

Markets and Warehouse Department.

The report of the Commissioner of the Markets and Warehouse Department shows that there are at present about ninety permanent warehouses organized under the permanent Warehouse and Marketing Law, and more than 400 public warehouses that come under the supervision of the department. In addition to the supervision of these warehouses, the department has licensed more than 4,200 cotton gins, and inspected more than 2,500 of this number. As a result of the inspection of cotton gins, the ginners are more careful in turning out a good sample, and it is estimated that something like \$2.50 per bale has been added to the value of the cotton ginned by them.

The report suggests an increase of authority for the department in the

matter of enforcing the legal standards of weights and measures. Your attention is directed to this suggestion.

Department of Agriculture.

The biennial report of the Commissioner of Agriculture is available for your consideration. The Commissioner makes recommendations for several amendments to the law which will doubtless receive your attention.

State Revenue Agent.

The State Revenue Agent has filed the department's last biennial report, as the Thirty-fifth Legislature passed a law under which the office will be abolished January 15, 1919. The report calls attention to the necessity of making adequate arrangements for the collection of the taxes under Chapters 1 and 2, Title 126, Revised Civil Statutes and to certain amendments which should be made in the tax laws of the State.

Food and Drug Department.

Your attention is directed to the report of the Food and Drug Commissioner. This report shows the number of places inspected, the number of specimens of food and drugs analyzed; the number of complaints entered against all persons for violations of the law relative to the adulteration of foods and drugs; the number of convictions secured and the amount of fines imposed therefor. The Commissioner states that he has adopted the standards for food products that were adopted by the United States Department of Agriculture for the enforcement of the Food and Drug Act of June 30, 1906, insofar as they are applicable to the Texas Food and Drug Law.

Prison System.

The subject of our prison system and its administration is of such vital importance that I shall communicate to you by special message with reference to its conditions, and suggestions designed for its benefit.

Bureau of Labor Statistics.

The annual report of the Commissioner of the Bureau of Labor Statistics is commended to your attention and perusal. The labor problems inci-

dent to reconstruction, and particular legislation favored by the Labor Commissioner are matters set forth in this report.

The Labor Commissioner states that conditions growing out of the war have made urgent correctional amendments to the Child Labor law, the "Fifty-four Hour" law, and the Mothers' Pension law, and the enactment of a minimum wage law, and upon these measures I invite your favorable action.

No more important duty is before the Legislature than the enactment of laws which will safeguard the rights, efficiency and health of the laborer and render him more contented and effective in the great duties which lay before him at this time. Measures to improve the conditions under which women work should receive greater attention because of the largely increased number of women workers in Texas.

Other State Departments.

In addition to the various State departments to which your attention has been called in this message, I ask your consideration of the reports which have been filed by several other departments, but which are not accessible to this office, since they are in the hands of the printer. The reports will be printed and before you within a short time. Among this number are the following: Department of Education, Public Buildings and Grounds, Board of Pardon Advisers, Commissioner of Insurance and Banking, Fire Insurance Commission, Industrial Accident Board, State Library, Live Stock Sanitary Commission, State Reclamation Department, Texas Confederate Home.

Southwestern Insane Asylum.

The report of the Board of Managers of the Southwestern Insane Asylum, at San Antonio, Texas, for the year ending August 31, 1918, showed there were 1960 patients in the institution at the beginning of the year; that 2723 patients were treated; that the daily average number of patients treated was 1959; and that 2015 patients were in the institution at the end of the year.

The Superintendent and the Board of Managers recommended, on account of the need for more help, that

additional quarters for female employes be built; and also recommend that funds be appropriated for the purchase of additional acreage on which the patients of the institution may be used for beneficial and profitable agricultural work. The report of the institution is available for detailed reference.

Insane Asylums, General.

The State of Texas maintains at present three asylums for the insane. These institutions are the State Lunatic Asylum at Austin, the Southwest Texas Insane Asylum at San Antonio, and the North Texas Hospital for the Insane, at Terrell. The superintendents of these institutions advise that the respective institutions are taking care of ten per cent more population than their capacity. In other words, the institutions are overcrowded to the extent of ten per cent. There are also awaiting admission to the various asylums 640 whites and 278 negroes, or a total of 918 patients.

The Thirty-fifth Legislature made provision for the construction of the Northwest Texas Hospital for the Insane at Wichita Falls, and an asylum for negro insane to be located at Rusk.

If the Legislature accedes to the suggestions made by the board which arranged for the construction of the asylum at Wichita Falls, that institution will accommodate 400 patients by June, 1919, and the additional number of 250 patients should appropriations be made for buildings outlined in the report.

The institution at Rusk will accommodate by April 15, nine hundred negro patients. By June, 1919, if these two institutions are opened, 500 negro patients now in the institution at Austin can be taken to Rusk and the 278 negroes now on the waiting list can be accommodated at Rusk, and 122 of the negro patients now in other institutions at San Antonio and Terrell can also be accommodated at Rusk.

If 622 of the negroes in the State institutions and the 278 negroes on the waiting list are placed in the Rusk asylum the space now occupied by them in the three existing institutions will have been released, and after certain repairs and rehabilitation of quarters, this space can be made available for white patients.

You should bear in mind however that the institutions are crowded really beyond their maximum capacity at this time, and the space thus released might more properly be absorbed in relieving that condition. When the asylum at Wichita Falls has been completed in June, 400 of the white patients on the waiting list, can be received there. This will leave only 240 white patients on the waiting list, and until the institution at Wichita Falls can be enlarged, these 240 white patients now on the waiting list can be accommodated at the three present institutions, after the repairs mentioned above have been made, by continuing, to some extent, the crowded condition now existing in these institutions.

It appears that by properly conserving and increasing the facilities at Wichita Falls, adequate provision can be made for the insane in Texas.

It is not necessary to remind this Legislature of the duty which the State of Texas owes to its insane. It was never intended that they should remain in jail except for the purpose of providing for their safety and the safety of the public, which should by all means be temporary, as they are entitled to the facilities which the State can furnish for their care and treatment.

In communicating to you the condition of the insane asylums of the State, I feel that it is proper to incorporate in the message proper at this juncture a report filed by the board selected by the Legislature to erect the Northwest Texas Asylum for the Insane. That report in full is as follows:

"To the Senate and House of Representatives of the Thirty-sixth Legislature:

"The undersigned, composing the board selected to erect the Northwest Texas Asylum for the Insane, make the following report.

"Attention of the Legislature is called to Chapter 183, Acts of the Regular Session of the Thirty-fifth Legislature, which made provision for the erection of the Northwest Texas Insane Asylum, to be located at a point north of the Texas & Pacific Railway between El Paso and Fort Worth and west of the Gulf, Colorado and Santa Fe Railway between Fort Worth and Gainesville, specifying that at least five hundred (500) acres of land be procured, and appropriating four hundred thousand

(\$400,000) dollars for the establishment of the institution.

"Your board visited all places becoming candidates for the location of this institution, inspected the different sites offered and duly considered each application and supporting indorsements presented in behalf of each place. The location offered at Wichita Falls was, after due consideration, accepted, and the institution located at that place.

"The Chamber of Commerce of Wichita Falls donated five hundred (500) acres of land, situated five or six miles rather south of the city and adjacent, just across the railway track, to Lake Wichita. The proposition also includes an adequate water supply for all buildings belonging to said plant, to be conveyed, however, from Lake Wichita at the expense of the State. Lake Wichita is an artificial body of water made by damming Holliday Creek, is estimated when full to be two miles by seven miles in dimension and to contain approximately twenty thousand (20,000) acre feet of water. This lake has supplied the entire city of Wichita Falls for a number of years, in addition to supplying water for irrigating approximately two thousand (2,000) acres of land.

"The land donated adjoins an irrigation canal, from which as many acres as may be required can be conveniently irrigated at small cost. This promises not only to furnish healthful employment for patients, but a valuable return in the way of vegetables and fruits that can be raised in abundance. The site selected is an admirable location for buildings, overlooking Lake Wichita, and receives from it the prevailing southeast winds to mitigate the heat of summer. The soil is of sandy loam, and produces in abundance grains, fruits and vegetables. The site is served by the Lake line of the Wichita Traction company, on which regular car service is maintained, and is also on the main line of the Wichita Southern Railway, a part of the Missouri, Kansas & Texas system, and is also served by one of the main permanent highways of the county. Light and power lines are installed to the site, and as is well known, Wichita Falls is in the lap of the gas and oil fields, and is connected by rail with the coal mines at Newcastle, fifty (50) miles distant, hence the

fuel problem for the institution ought to be of easy solution.

"In addition to the five hundred (500) acres donated by the Chamber of Commerce, your board, deeming it wise, under expert advice, purchased an additional three hundred and ninety-seven (397) acres adjoining, which will afford ample land for feed and forage crops and pasturage for such live stock as may be required. It is believed the quantity of land thus secured will be ample for this institution, however much it may be enlarged in the future. These lands were acquired at a cost of sixteen thousand thirty-one dollars and sixty cents (\$16,031.60).

"The deeds to all of these lands, that is, the lands donated and the lands purchased, have been duly executed and recorded in the deed records of Wichita County.

"The titles to these lands were approved by the Attorney General, except as to certain defects in the title to tracts Numbers 1 and 2, conveyed by Kemp & Kell, and as to these Messrs. Kemp and Kell of Wichita Falls executed a bond in the sum of ten thousand (\$10,000.00) dollars, conditioned to cure the defects in the title within ten (10) months from May 3, 1918. It is the information of your board that the necessary steps are being taken to cure these defects. The several abstracts and the bond above mentioned, together with the deeds, are in the files of the Attorney General's Department.

"After selecting the site, your board, in accordance with the provisions of the Act creating this institution, advertised for plans and specifications and invited bids from architects, and on February 18, 1918, at a public hearing, the plans of the firm of C. H. Page & Brother, of Austin, Texas, were selected from a number that were presented. Your board contracted with this firm, agreeing to pay the customary architect's fee of five (5%) per cent, for plans and supervision; three and one-half (3½%) per cent to be paid when the contracts for erection were let, and the balance, one and one-half (1½%) per cent, to be paid upon completion of the buildings. The architects selected were required by your board to visit the most recently constructed and modern institutions of this nature to be found in the United States, and

accordingly a member of said firm visited and inspected institutions erected for the care of the insane in the States of New York, Illinois, Pennsylvania, Massachusetts and Missouri, and also conferred freely with the National Board of Hygiene and other specialists on insanity. Naturally, the architect gained much valuable expert knowledge with reference to the kind of buildings and the arrangement of buildings necessary in the successful treatment of insane patients of varying ages and of different degrees of insanity. Plans were then perfected in which the architects utilized and wove into their plans the information thus obtained. After the completion of plans, bids were invited for the construction of the buildings, and on June 25, 1918, various bids were opened in the presence of the several bidders, and contracts were awarded as follows: To J. C. Dielman of San Antonio, Texas, the contract was awarded for the construction of nine buildings as follows: The administration building, male receiving ward, female receiving ward, male infirmary, female infirmary, nurses' home, dining hall and laundry and boiler house, for the total sum of three hundred and forty-three thousand forty-eight dollars and ninety cents (\$343,048.90), which includes an item of four thousand and fifty (\$4,050.00) dollars for facing brick selected by the board, this in excess of the basis price upon which bids were made. The contract for roughing in of plumbing only, not including fixtures for the above named buildings, was awarded to A. H. Shafer of San Antonio, for the sum of ten thousand seven hundred and seventy-two dollars and forty-three cents (\$10,772.43). The contract for the wiring of the buildings only was awarded to J. M. Johnson Company of Dallas, Texas, for the sum of five thousand three hundred and seven dollars and thirty-seven cents (\$5,307.37).

"Contracts were duly entered into with the above named contractors, and bonds by each executed for the faithful performance of their contracts. This plant is now in course of erection, splendid progress being made, and it will be ready to receive patients as soon as the Legislature makes the necessary provision for full completion, for furniture, fixtures, equipment, etc.

"At the time the above mentioned

contracts were let, your board had expended for lands and for different small items of expense incident to the location of the site, sixteen thousand three hundred and twenty-five dollars and eighty-six cents (\$16,325.86), leaving at the time available for building purposes the sum of three hundred and eighty-three thousand six hundred and seventy-four dollars and fourteen cents (\$383,674.14).

"It will be noted above that the contract for plumbing consumed ten thousand seven hundred and seventy-two dollars and forty-three cents (\$10,772.43); the contract for wiring consumed five thousand three hundred and seven dollars and thirty-seven cents (\$5,307.37); and the contract for the erection of the nine buildings consumed three hundred and forty-three thousand and forty-eight dollars and ninety cents (\$343,048.90), making a total of three hundred and fifty-nine thousand one hundred and twenty-eight dollars and seventy cents (\$359,128.70), upon which the architect was entitled to seventeen thousand nine hundred and fifty-six dollars and forty-three cents (\$17,956.43), making a total cost for this entire work of three hundred and seventy-seven thousand and eighty-five dollars and thirteen cents (\$377,085.13), and leaving at that time unused of the original appropriation something over six thousand five hundred (\$6,500.00) dollars.

"Your board went as far as it could with the means available, and the work contracted for will be complete, as far as it goes, and ready for the reception of the necessary supplementary equipment and fittings that must be provided by the Legislature before these buildings are ready for occupancy. No delay, however, will be occasioned as it was not contemplated that this plant should be ready for occupancy until after the assembling of the Thirty-sixth Legislature, as no appropriation for its maintenance was made by the Thirty-fifth Legislature.

"On account of the increase in the cost of all building material and labor, your board, as appears above, was compelled to leave the heating, plumbing fixtures and sewerage for these buildings to be provided later.

We beg to call your attention to the fact that this institution is planned so that it can be added to from time to time, and when completed, will have a capacity of at least two thousand (2000) patients. The administration building and boiler house are large enough to take care of all the future needs of the plant. The laundry and dining hall are of sufficient capacity to accommodate at least one thousand patients, and are constructed so they may be added to without waste or loss.

"The capacity of the buildings now in course of erection, when fully completed by providing the heating, plumbing, sewerage, lighting, furniture and furnishings, will accommodate from three hundred and seventy-five (375) to four hundred and fifty (450) patients, also ample room necessary for employees.

"We beg to respectfully suggest, however, that at least one hundred and fifty thousand (\$150,000) dollars should be made immediately available for the heating, plumbing, fixtures, sewerage, lighting, furnishings, ice plant and laundry machinery, so that the plant may be immediately equipped to receive patients. We beg to suggest, furthermore, that in order to substantially carry out the purpose of the Legislature, the erection of the following additional buildings should be provided for at once, to wit: An industrial building, one nurses' home, a male chronic ward and a female chronic ward. These additional buildings, it is estimated, will increase the capacity of the plant so as to accommodate two hundred and fifty (250) additional patients. It is roughly estimated that these additional buildings will cost two hundred thousand (\$200,000) dollars. In the future development of the general plans of the architects, additional buildings can be added for a less cost per patient, because the administration building, boiler house, water, sewerage and steam mains will be of such size and capacity as to accommodate the maximum capacity of two thousand patients.

"It is the opinion of your board that the full execution of the adopted plans will make this one of the most

complete and modern institutions of its kind anywhere in the country.

"All of which is respectfully submitted.

"W. P. HOBBY,
"Governor.

"R. M. JOHNSTON,
"President Pro Tempore of the
Senate and Acting Lieutenant
Governor.

"B. F. LOONEY,
"Attorney General."

State Epileptic Colony.

The fifteenth annual report of the Board of Managers of the State Epileptic Colony at Abilene shows 465 male and 319 female, or a total of 784 patients treated during the year, and a total of 520 population in the colony on September 1, 1918. The cost per capita for the year was \$220.08, which is the highest in the history of the institution, because of advanced costs of all supplies. This institution managed, however, to complete the year without incurring a deficiency for operation.

Anti-Tuberculosis Sanatorium.

The Anti-Tuberculosis Sanatorium at Carlsbad, Tom Green County, has made a number of much-needed improvements during the past year, in the construction of a nurses' home, a laundry, and additions to the store buildings and the dormitory.

The report for the past year shows that 171 patients were treated, and that the average stay of patients in the institution was 5 months and 20 days. The average age of male patients is shown to be 30 years, and that of female patients 27 years.

Certain recommendations are made in this report which I consider of especial value, particularly the one suggesting a law compelling all cases of tuberculosis to be reported to the State Board of Health, and providing penalties for the failure to report all cases, suspected or known, as soon as it appears that persons may be tubercular.

Legislation is also suggested for the detention of the incorrigible, careless consumptive who is a menace to the health of the community in which he may live; and for the instruction and education of children in the schools regarding prevention or avoidance of tuberculosis.

Normal Schools.

The four State normals for the year ending August 31, 1917, had a combined total attendance of 9,101 students. The East Texas Normal at Commerce was opened for the year ending August 31, 1918, and the attendance at the five normals, despite the effects of the drouth over a large part of the State, and notwithstanding the number of men who went to war, was 8,734.

The Thirty-fifth Legislature provided for the establishment of the South Texas State Normal College, the Stephen F. Austin State Normal College and the Sul Ross Normal College. But early in 1917, it had become apparent that attendance in the normal colleges of the State would be smaller on account of conditions brought about by the war. It was evident, too, that to raise the large additional sums necessary for these schools would impose a heavy burden on the people of the State. At the Third Special Session, the matter of postponement of execution of the Acts creating these normals was submitted by me, and the Thirty-fifth Legislature, in that special session postponed the opening of the Sul Ross Normal to October 1, 1919, the opening of the South Texas Normal until September 1, 1922, and the opening of the Stephen F. Austin Normal until September 1, 1924.

The end of the world war and the consequent release of thousands of men and many women from the army and various war activities, who will desire to get further training and education in preparation for the work of teaching, will in my judgment warrant the building of these schools.

Appropriations for the existing normals for 1917-18 were \$819,891 and for 1918-19 \$558,504, a total of \$1,378,395. The inventory value of buildings and equipment of these five normals on August 31, 1918, was \$1,845,572.

University of Texas.

Your attention has doubtless been called through the press to the work of the University of Texas in conducting certain schools for the War Department. In order that you may be advised as to the basis on which this is being accomplished, it is deemed proper to discuss somewhat in detail the arrangement the authorities in charge of the University have with

the War Department. Information for this purpose has been furnished by the President of the University.

The University of Texas has been operating the following schools for the War Department during the past year: (a) School of Military Aeronautics, (b) Air Service School for Radio Operators, (c) Section A, Students' Army Training Corps, (d) Section B, Students' Army Training Corps and (e) Base Hospital.

The School of Military Aeronautics was organized under the Aviation Section, Signal Corps, May 26, 1917, and later taken over by the Air Service Division of Military Aeronautics. This school began work on the campus of the University of Texas, but was transferred to the buildings of the old Blind Institute in September, 1917.

The Air Service School for Radio Operators was established under the Air Service Division of Military Aeronautics, and also began operations on the campus of the University of Texas. To meet the demand for expansion of this work, the University was asked to construct a school and flying field to care for the preliminary and final training of all radio operators for the United States Army. About three hundred and twenty acres of land for this school were purchased by the University of Texas at a point about three miles south of the City of Austin, and building commenced under plans approved by the War Department the latter part of August, 1918. The school moved to this site in November. Construction is about half completed, but has been stopped by order of the War Department after the signing of the armistice.

The School for Automobile Mechanics was contracted for with the Committee on Education and Special Training of the General Staff of the United States Army in April, 1913, and work at once commenced on buildings at Camp Mabry, land belonging to the State of Texas, but loaned to the University of Texas for this purpose. Permanent barracks, mess hall, and headquarters buildings, and wooden school buildings were erected. The first students reported on May 15, 1918, before the plant was completed. However, these men were set to work, and the instruction has been continuous.

This school was later made, Section B, or Vocational Section, of the Students' Army Training Corps under the same Committee.

Section A of the Students' Army Training Corps was organized and located on the Main Campus of the University of Texas. An extension of the mess hall and twelve temporary barracks were constructed for this unit. Both sections of the Students' Army Training Corps have been demobilized by order of the War Department.

The University of Texas has also leased the buildings of the Austin Presbyterian Theological Seminary and two other residences for use as a Base Hospital for the army schools. Repairs have been made on the main building and Lubbock Hall, and two two-story wooden ward buildings have so far been completed. The hospital has been in use for some time under the Department Surgeon, Southern Department. The equipment is furnished by the Medical Department of the United States Army.

The cost of construction and equipment of each of these enterprises has been paid by the University of Texas from the available funds of the University and from two loans, authorized by the Board of Regents and secured from George W. Littlefield. The first loan is for the sum of \$300,000 and the second for \$500,000. Of these amounts, \$200,000 and the interest have been repaid, leaving an unpaid amount of the loan of \$600,000 and interest on the remaining loans.

The following statement is made of the expenditures for construction and equipment of the various schools and the hospital:

(a) School of Military Aeronautics . . . \$	200,481.55
(b) Penn Field	546,274.71
(c) S. A. T. C., Section A	78,691.13
(d) S. A. T. C., Section B, Camp Mabry	651,171.37
(e) Base Hospital	74,665.69
Total	\$1,551,284.45

The income to cover operation costs comes mostly from the Federal Government from funds appropriated to the War Department. The contracts for operation cover a payment to the University on the basis of men

days attendance at the school, which covers housing, subsistence, and the instruction of the men. The rates of payment were fixed on the basis of a proposed curriculum and quota of men, an allowance of from 60 cents to 75 cents per man day for subsistence and an amount to be set aside for the amortization of the physical plant and equipment in about two years of operation. Analyses of unit costs were frequently made to check the estimate against actual conditions. Experience has shown that the original estimates were very close to the actual costs.

Each contract for operation contains a clause guaranteeing the University of Texas against loss for money expended for construction, equipment, or operating expenses at the close of these schools, and also provides for readjustment of rates of income on the basis of operating costs made necessary by frequent changes in quota, curriculum, and other conditions caused by war conditions.

Due to the fact that the orders to close these schools or to reduce their quotas came soon after the signing of the armistice, the total construction and equipment cost has not been paid off. However, in every instance, there has been a margin of profit, above direct operating expenses large enough to more than compensate the University for the proportion of the overhead covered by the period of operation of these contracts. The direct gross income from the operation has been approximately \$1,600,000, and the indirect income from salaries to the soldiers, officers, etc., has been approximately the same amount, or roughly \$3,000,000 total income from these schools. The total enrollment has been approximately 14,000 students and the total number of graduates has been 8,000 for the three war schools not on the campus. Each course has been approximately two months in length. The new contract for Camp Mabry, covering the period between October 15, 1918, and June 30, 1919, called for the graduation of an additional 12,000 soldiers. With all of these schools operating at full capacity, approximately 30,000 soldiers would have been trained each year.

Agricultural and Mechanical College.

The biennial report of the Agricul-

tural and Mechanical College of Texas shows that this institution is experiencing the greatest prosperity and usefulness in its history. The organization of the institution at present consists of the main college located at College Station in Brazos County and three branch institutions as follows (a) The John Tarleton Agricultural College located at Stephenville, Texas, (b) the Grubbs Vocational College located at Arlington, and (c) the Prairie View State Normal and Industrial College for the education of the negro race located at Prairie View, Texas. All of these institutions are under the control and general direction of the Board of Directors of the Agricultural and Mechanical College and the work of each is administered by the President of the College and the respective deans, who work in close co-operation with the president of the entire group of institutions. The John Tarleton Agricultural College and the Grubbs Vocational College were established by the Thirty-fifth Legislature and have been in operation as State institutions but one year.

The enrollment of the Agricultural and Mechanical College continues to increase year after year. This continuous growth indicates that the institution is in popular favor with the people of the State. The attendance at the main institution for the past two years was as follows:

	1916-17	1917-18
Regular Session . .	1242	1152
Summer Session . .	525	1132
Total	1767	2284

The total enrollment for the current scholastic year is 1560 students. The authorities of the college found it necessary to limit the attendance in September to this number due to the limited housing and boarding facilities of the college.

The college has completed within the last few months a new auditorium with a seating capacity of approximately twenty-five hundred, a new experiment station building, a new building to accommodate the new school of veterinary Medicine and a new dormitory. Funds for all of this construction were provided by the Thirty-fifth Legislature with the exception of the experiment station building, which was paid for out of the feed control surplus which is allotted to the college by a State law.

The Agricultural and Mechanical College, according to the report of the authorities, was the first institution in the country to offer its facilities to the Government for military purposes. The faculty, on March 21, 1917, when it became clearly evident that war would be declared with Germany, recommended to the governing board that they tender to the Federal Government all research instructional facilities of the college for military purposes, and if necessary the Legislature be requested to concur in this action. The board approved the resolution of the faculty on March 23, and the Government called upon the college almost immediately to release certain members of its faculty and officers for various war activities. About forty per cent of the men connected with the college as officers or teachers have engaged in more or less direct war activities since the declaration of hostilities. More than two thousand former students of the college enlisted in the military service of the country and according to a report made by a staff correspondent of the New York Times, a larger percentage of the alumni of this college entered the military service than that of any other college in the United States. More than thirty of the alumni of the college have fallen during the war and many others have been more or less seriously injured. The United States Government designated this college as one of the institutions for the training of technical men for various war activities and since that time several thousand men have received training as radio engineers, auto mechanics, blacksmiths, horse-shoers, machinists, general mechanics, pipe fitters, carpenters, farriers, meteorologists and typographical draftsmen. The State can well take pride in the contribution this institution has made to the winning of the war.

Experiment Station and Extension Service.

The main experiment station, located at College Station, and the eleven substations located in various parts of the State are contributing very substantially to the material development of the State. The experiment station system is closely correlated with the extension service of the college, which is affiliated with the

United States Department of Agriculture. The Federal Government, through the extension service of the college, is supplying large funds for carrying on the agricultural activities of the extension service. The report of the extension director of the college indicates that the State is receiving satisfactory returns from the money expended in the work of this important agricultural activity.

(a) John Tarleton Agricultural College.

As previously indicated, this institution was established by an Act of the Thirty-fifth Legislature, and opened its doors for the reception of students in September, 1917. A capable faculty was secured and 225 students were enrolled during the first year. The institution is located in a very important agricultural section of the State and the college gives promise of becoming one of the important institutions maintained by the State.

(b) Grubbs Vocational College.

The Grubbs Vocational College was also established by an Act of the Thirty-fifth Legislature and located at Arlington, Texas. The establishment of this institution represents a departure in educational policy, but the fact that the attendance has increased from sixty-six students during 1917-18 to one hundred and ninety-two up to date for the current scholastic year, gives evidence that the college fulfils a place of need in the educational system of Texas.

(c) Prairie View Normal and Industrial College.

The Prairie View State Normal and Industrial College is the only educational institution maintained by the State for the training of the negro race. This school has a very good physical plant and the faculty is regarded as one of the best in the country. Large emphasis is placed upon trades courses, agriculture and home economics. A normal department is also maintained for the training of teachers for the negro public schools of the State. The institution enrolls about one thousand students in the regular session and almost an equal number in its summer school

each year. The State is getting good returns on the money invested in this institution. It deserves the financial support and the sympathetic cooperation of the people of Texas.

State Treasury.

The report of the State Treasurer is available for your consideration and reference is made to the report for those items of interest which it has for the law-making body. Suffice to say that for the fiscal year ending August 31, 1918, the treasurer had on hand at the beginning of this fiscal year a balance of \$6,510,156.01 in the treasury; he received from all sources, including transfers, \$43,396,814.25, and during that period the disbursements amounted to \$36,549,740.12, leaving an unexpended balance, August 31, 1918, of \$6,847,074.13. The balance in the treasury January 1, 1919, was \$4,307,168.46.

Bonded Debt of the State.

The bonded debt of the State of Texas, as reported to me by the State Treasurer is as follows:

Refunding 3 per cent bonds issued by an Act of the Thirty-first Legislature to refund frontier defense bond due September 1, 1910, and outstanding bonds for deficiency in revenue, issued April 21, 1879, due July 1, 1909; new bonds dated September 1, 1910, due forty years, option to redeem after 20 years.....	\$1,148,700
For retiring past due bonds, Act May 2, 1893, due May 2, 1933, interest 4 per cent.....	334,500
For retiring all 7 per cent frontier defense bonds of August 5, 1870, held by individuals; Act April 5, 1889, sold to special funds, due April 5, 1919, 5 per cent interest.....	201,000
Refunding bonds issued September 1, 1915, Act Thirty-fourth Legislature, to refund bonds issued September 1, 1910, 5 per cent interest.....	209,000
Revenue deficiency bond, issued February 10, 1915, Act 1889, due forty years, interest 5 per cent.....	22,000

For retiring past due bonds, Act May 2, 1893, due option of State, interest 5 per cent.	\$ 152,000
Refunding bonds, issued 1904, due January 1, 1944, Act April 30, 1903, dated January 1, 1904, interest 3 per cent.	288,000
Refunding bonds, issued 1906, due July 1, 1946, Act April 17, 1905, dated July 1, 1906, interest 3 per cent.	1,647,000
Total bonded debt outstanding September 1, 1918	\$4,002,200
The bonded debt of the State is owned and held as follows:	
State Permanent School Fund	\$2,772,000
State Permanent University Fund	625,600
State Permanent Blind Asylum Fund	134,400
State Permanent Deaf and Dumb Asylum Fund	104,300
State Permanent Lunatic Asylum Fund	126,300
State Permanent Orphan Asylum Fund	30,600
State A. & M. College Fund	209,000
Total	\$4,002,200

Your careful attention is invited to this statement, and especially to one item of the bonded debt of the State which will mature April 5, 1919, in the principal amount of \$201,000.00

Statement to the Legislature from Facts and Figures Used by Automatic Tax Board in Fixing Tax Rate. Estimated Expenses of Government.

Under date of January 9, 1919, the Comptroller, at my request furnished a brief tabulated statement, showing the revenues received, appropriations and expenditures made for the years 1916-17 and 1917-18, and a comparative statement of the appropriations requested by the various departments and institutions for the biennium 1918 and 1919, and the biennium 1920 and 1921. In order that you may be advised as to the probable amount of money necessary to be raised by taxation to maintain the

State Government for the next two years, I am taking the liberty of quoting that statement:

Revenue:

1917, from taxation	\$10,953,755.00
1918, from taxation	16,156,355.00

Total for two years \$27,110,110.00

Appropriations:

1917, ending Aug. 31,	
1918.	\$17,451,608.00
1918, ending Aug. 31,	
1919.	9,336,820.00

Total for two years \$26,788,428.00

Expenditures:

1916, ending Aug. 31,	
1917.	\$ 8,968,378.00
1917, ending Aug. 31,	
1918.	12,283,400.00

Total for two years \$21,251,778.00

Estimate asked for by Departments and Institutions:

1917, ending Aug. 31,	
1918.	\$ 8,572,743.00
1918, ending Aug. 31,	
1919.	7,835,061.00

Total for two years \$16,407,704.00

Estimate asked for by Departments and Institutions:

1919, ending Aug. 31,	
1920.	\$10,654,034.00
1920, ending Aug. 31,	
1921.	9,706,776.00

Total for two years \$20,360,810.00

Taxable Values of State:

Produced:

Year 1917, \$2,872,000,000;	
Revenue rate 35c.	\$8,033,600.00
Year 1918, \$3,026,000,000;	
Revenue rate 30c.	\$7,262,240.00

There remains unexpended of the moneys appropriated by the Thirty-fifth Legislature something over \$5,000,000. This will be expended very likely by August 31, 1919, as several buildings are under construction and the various departments of the Government must be maintained. Your attention is called to the fact that in the estimates made by the various departments and institutions for funds necessary for the next two years, no

provision is made for the maintenance of the Judiciary, which costs approximately \$1,200,000 per year, nor is any estimate made for miscellaneous appropriations which may be made by the Legislature. The Thirty-fifth Legislature made miscellaneous appropriations in the amount of \$5,000,000 per year, a total of \$10,000,000. If you should authorize the entire appropriations requested by the institutions and departments, viz., \$20,360,810, and should provide the additional sum of about \$2,400,000 for the Judiciary, making a total of \$22,760,810, there would be only \$5,000,000 available for all other purposes for the two years at the maximum tax rate provided in the Constitution. By as much as these estimates are reduced in your appropriation bills will the funds be available for other legislative objects, such as education, buildings, etc., and by as much as your appropriations are reduced in all particulars will the tax rate be lowered. For your information I will state that an appropriation of one million dollars requires an addition of 5 cents to the State tax rate.

The expenses of the State have grown to alarming proportions in recent years and in my judgment you can perform no more beneficial service than to reduce the expenditures to the lowest possible level the public service will permit.

Your attention is directed to the fact that the fiscal year of the State of Texas is from August 31st to August 31st, whereas the taxes levied for the support of the State government are for the calendar year, January 1 to January 1. It is almost impossible to reconcile this discrepancy, in computing the needs in revenue for any particular year. Most of the taxes are paid in the month of January, whereas at that time the State is four months advanced in its fiscal year, possibly suffering a deficit in the first month or two of the year. I can see no important reason why this should continue to be the law, and unless there is some reason unknown to your Chief Executive, I suggest that the law be changed so as to make the fiscal year correspond with the calendar year.

State Tax Commissioner.

The value of property in the State, according to the report of the State

Tax Commissioner, assessed for taxation for 1917-18 was \$2,871,744,269, on which there was levied an ad valorem tax for general revenue purposes of 35 cents, a State school tax of 20 cents and a State Pension tax of 5 cents on the \$100 valuation.

The assessment of intangible values of all moneys, credits, stocks, bonds, notes, etc., for the year, amounted to \$176,601,693. This embraces all intangible property except the intangible property valuation of railway, bridge and ferry companies.

The total physical valuation of railway, bridge and ferry companies amounted to \$331,311,761, and the total intangible property valuation of these railway, bridge and ferry companies was \$150,363,906, making their true value \$481,675,667.

The intangible property valuation of these ninety railway, two bridge and one ferry company was duly apportioned and certified to the proper officials to be placed on the rolls of the respective counties, as shown by the ninth annual report of the Tax Commissioner.

Chapter 4, Title 126, Revised Civil Statutes, 1911, which Act creates the State Tax Commission, composed of the Comptroller, Secretary of State and State Tax Commissioner, provides that the board shall report to the Legislature at each regular session thereof the whole amount of State revenue collected in this State for all purposes, the source thereof, etc. Certainly the consideration of this subject is a matter which should occupy the mind of every public official, and especially those charged with the making of laws.

Comptroller's Department.

By reference to the annual report of the Comptroller, you will notice several suggestions proposing amendments to the tax laws of the State. I commend these suggestions to the Legislature as deserving the highest consideration and to the end that all business interests in the State pay their just share of the expenses of government, in order that the burden of taxation may be equitably distributed.

The Comptroller also makes valuable suggestions with reference to auditing the various departments and subdivisions of the State Government.

Expenditures of Executive Department and Mansion and Grounds.

In accordance with the constitutional requirements, I am transmitting herewith as Exhibit "C" a statement of all public moneys received and paid out by me as Governor from all funds subject to my order. The vouchers upon which expenditures were based are on file in the office of the Comptroller. I invite your interested attention to an investigation of the items of expenditure.

The activities due to the war have increased the duties of the Executive Office over two hundred per cent. This enormous increase is due to several prominent reasons. The Governor is the chief administrative officer of the Selective Service Law and although the minutia of its duties have been performed by a separate office under general supervision of the Governor, naturally a great volume of its business first passed through this office.

The raising of a National Guard of three brigades, already mentioned, greatly increased both the clerical work of the office and the duties more particularly of the Governor.

The law passed by the Legislature designated as the "Drouth Relief Act" was administered under its terms by the Governor.

All of these extraneous labors contributed to such a material increase in the duties of this office that the clerical force ordinarily competent for all occasions proved not more than half sufficient to do the work necessary for the proper maintenance of the office. Although the department has expended no more than was legal under the appropriation bill for the Executive Department, and in fact allowed a portion of the appropriation to lapse, I feel that it is proper to explain to you the reason for expending more than usual for clerical assistance and postage.

King's Highway Fund.

Under authority of Chapter 49, Acts of the Thirty-fifth Legislature. First Called Session, the sum of \$3,000 was appropriated for the King's Highway Fund and made subject to order of the Governor. A statement of this fund since I became Governor is found attached to this communication and Marked Exhibit "A."

Supplementing the fund appropri-

ated by the Legislature, I received from my predecessor, August 25, 1917, to be administered under the terms of the law, the further sum of \$1,546.85, supplemented by a further contribution of \$113.15 by the Daughters of the American Revolution. The condition of this fund is represented in a statement furnished by the Citizens Bank & Trust Co., Austin, Texas, attached hereto and marked Exhibit "B."

Immediately after I became Acting Governor, I received from my predecessor the sum of \$30.61 designated as the "Storm Relief Fund." This was on the same day deposited in the Citizens Bank & Trust Company and remains intact.

These special funds are kept in the bank, because there is no authority of law under which the State Treasurer can accept the funds.

Recommended Legislation.

(a) Budget System.

I recommend the passage of an act that will authorize a budget committee and the adoption of such joint rules by the two houses as will give effect to the recommendations of the budget committee.

One of the greatest needs of our State government, in my judgment, is the introduction of a more business-like method of making appropriations. Under our present system each member of the Legislature has unlimited power to appropriate the public funds if he can persuade a sufficient number of his fellow members to support his bills. As a great many members are anxious to establish public institutions or branches of the State's service in their districts, the temptation is always present for the members to "swap work" by supporting each other's bills. Experience everywhere shows that in a very large number of cases members yield to the temptation, and, in their eagerness to serve their individual localities, forget the paramount interests of the State as a whole. That is what is commonly known as the "pork barrel" system, which in this country has become a reproach to the National Government and to many of the States. It is too well known to need repeating here, that, as a result of this pork barrel method in Congress, many millions of dol-

lars are wasted every year in erecting expensive public buildings in communities that do not need them, and in dredging rivers that will never be navigable.

One Southern Congressman is said to have described the operations of the pork barrel system in this way: "There are half a dozen places in my district where Federal buildings are being erected at a cost to the Government far in excess of the actual needs of the communities where they are located. Take my home town for instance. We are putting up a post office down there at a cost of \$60,000, when a \$5,000 building would be entirely adequate for our needs. This is mighty bad business for Uncle Sam, and I'll admit it; but the other fellows in Congress have been doing it for a long time, and I can't make them quit. Those fellows from New England and other States in the North have plastered their country with unnecessary Federal buildings. Now we Democrats are in charge of the House, and I'll tell you right now, every time one of them Yankees gets a ham, I am going to do my best to get a whole hog."

In Texas we have from time to time had illustrations of the workings of the pork barrel system, and legislators have occasionally fallen to the temptation to vote institutions for their districts without due regard to the needs of the State on the one hand, and the condition of the treasury on the other. Instances of appropriations beyond the constitutional limit are fresh in the memory of every member of your honorable body.

Perhaps the worst features of the pork barrel method of appropriations is that the legislators are working in the dark. There is no committee of either House, or any member of either House, who knows or can know, how much is being appropriated by the various bills in the process of enactment, or who knows, or can know the amount of revenue that the State will receive under the existing and proposed tax laws. No private business in the world could succeed under such a blind, haphazard system of finance.

As a substitute for the existing chaos, I urge the adoption of some form of the budget system. This system of raising and appropriating public revenues is in use in virtually

every civilized country in the world except the United States, and during the last six or eight years has been adopted, to an extent at least, in more than forty States in the Union.

The essentials of a budget system are that the plan of financing the government shall be carefully worked out by a properly designated official or a budget committee before the Legislature convenes. This plan, showing in detail the income and expenditures for the past two years, and the probable income and proposed expenditures for the next two years, should be sent to the Legislature by the Governor at an early date in the legislative session. The Legislature should have power to reduce, but not to increase, the items in the budget, or to increase them only upon a two-thirds or three-fourths vote, thus definitely fixing the responsibility for the total amount of the budget upon the designated official or upon the budget committee, as the case may be. The budget should be considered in committee of the whole in each house, and the designated official or members of the budget committee should be present to explain and defend the estimates submitted. Bills carrying appropriations introduced by individual members of the House should either not be considered until after the general budget is disposed of, or if considered at an earlier date should be subject to the disposition of the general budget or be required to provide the revenue necessary to take care of the appropriation called for in them. In all such cases, too, the appropriation carried in an individual member's bill should be conditioned upon there being sufficient money left in the treasury after all items in the regular budget shall have been taken care of. If the tax rate fixed in the Constitution, or agreed upon by the Legislature, should fail to provide sufficient revenue to meet all appropriations made by the Legislature, the private member's bill should suffer and not the general budget.

Members of the Legislature may object to sacrificing their privilege of introducing as many bills as they see fit, and pushing them through as rapidly as they may be able, but there can never be an intelligent management of the State's finances as long as the temptation is constantly held out to the individual member to se-

cure whatever he can for his district. This is the very foundation of the pork barrel system, and this system will never be abolished until the individual member is limited in his access to the public treasury.

The establishment of the budget system may be brought about either by an amendment to the Constitution or by the passing of a statute. The former method would probably be the better, but until the Constitution is amended I recommend that it be done by statutory enactment and joint rules of the two houses. The Constitution already provides that the Governor shall report to the Legislature the expenditures during the last two years; thus furnishing the basis for an executive budget. To assist the Governor in carrying out and making this provision of the Constitution effective, I recommend that there be established a budget committee, composed of the Governor, the Comptroller, the Treasurer, the chairman of the House Committee on Appropriations and the chairman of the Senate Finance Committee. To this committee should also be added the Governor-elect, the Comptroller-elect and the Treasurer-elect, when changes in these offices are to be made. This budget committee should meet on the 15th of November on every even year and should remain in session from day to day until the budget is finally worked out. Public hearings should be held, the heads of the departments and public institutions being called before the committee to explain and defend the appropriations for which they are asking. This budget should be sent to the Legislature by the Governor, with proper explanations and comments, not later than thirty days after the beginning of the regular session. Provision should be made to allow members of the budget committee, or either of them to be designated by the committee, to appear before the Legislature or the appropriate committee to explain and defend the items of the budget. As suggested above, provision should be made for restricting the power of the Legislature to raise, but not lower, the items of the budget, and also for restricting the enactment of appropriation bills introduced by individual members as indicated above.

I recommend that the Legislature, by statutory enactment and joint

rules, make such provisions as will render the budget of this committee effective.

The effect of such a measure as herein indicated would be to cause the Governor and the members of the budget committee to make a careful and prolonged study of the revenues and disbursements of the State government. It would fix responsibility for extravagance and abuses upon them. It would also bring to the members of the Legislature the knowledge and experience of the executive officials, who have had in their hands the active administration of the State's affairs—knowledge and experience which it is impossible for the members of the Legislature to gain otherwise. It would also enable the incoming administration to gain a thorough knowledge of the State's affairs from the outgoing administration. It would preserve and utilize the experience gained by the chairmen of the House and Senate committees in making out and passing the budget of the preceding biennium. And, most important of all, it would take from the members of the Legislature the constant temptation to approach the public treasury for the benefit of their respective districts.

Nothing in this recommendation should be construed as a reflection on the Legislature or any member of the Legislature. It is directed against a system expensive to the State, affording temptations to which human nature renders us all susceptible and to correct which we are called upon to surrender certain prerogatives for the common good.

(b) The Merit System.

I recommend that the Legislature pass a law instituting the merit system, in so far as it may be applicable, to all the departments and institutions of the State. This system has proven its very great value in almost all foreign countries, in the United States Government, and in a number of the more important States and the larger cities of this country.

The constant removal in the clerical forces of the departments of those who have acquired knowledge of the State's business to make room for others results in keeping the State's service in the hands of beginners. Under this system the ship of state is forever manned by raw

recruits. A few years ago the head of one of the most technical departments of the State government announced immediately after his election that he would make a clean sweep of the employees in his department. He kept his word, and retained only the janitor. He admitted afterwards that it took six months for his new appointees to acquire a reasonable facility in handling the business of the department.

I recommend the creation of a civil service commission, with power to classify the various positions in the public service, except the appointive offices by the Governor, and to provide, by examination and otherwise, for testing the qualifications of the persons to be employed in the State's service. I think that it would also be wise to provide that the cities and counties of the State may make use of the State's civil service commission in selecting their employees. I believe such a measure, properly carried out, will add immeasurably to the efficiency with which the public business is transacted.

(c) State Board of Public Welfare.

I desire to call your attention to the work of a commission appointed by me last April, known as the Commission on Charities and Corrections Legislation. This commission, which has served without pay and without expense to the State, was appointed at the request of a number of civic organizations interested in charitable and relief work in the various cities of the State. It is composed of some twenty-five or thirty representative men and women engaged in this line of work. After an exhaustive study of the laws of other States and the administration of the charitable and correctional agencies of those States, this commission has decided to recommend the establishment of a non-paid State board, to be known as the Board of Public Welfare, having the power to visit and investigate the management of charitable, eleemosynary and penal institutions supported in whole or in part by the State or by any political subdivision thereof. They do not desire that this board shall be clothed with power to manage these institutions, but the power to visit, to investigate and to report to the Governor and the Legislature.

I commend this measure, carrying

a reasonable appropriation for its accomplishment, as helpful, and, if enacted, I believe the commission will be capable of rendering valuable assistance to your committees who will be appointed to visit the various penal and correctional institutions of the State.

(d) Deficiency Appropriations.

Several years ago the Legislature enacted a law (R. S., Art. 4342) permitting the Governor to authorize deficiency certificates to be issued by the Comptroller upon the proper application by the various departments and institutions. These certificates are then held by the creditors of the institutions or departments as evidence of the moral obligation of the State to protect their claims by an appropriation to be made later by the Legislature in its own discretion. There is no legal compulsion on the Legislature to make this appropriation and no assurance as to the date the intended appropriation shall become available. In other words, a deficiency certificate is not recognized by the business world as evidence of a "debt" of the State. The practical effect is that bidders for contracts to be paid by deficiency appropriations add to their prices about 8 or 10 per cent to cover interest and uncertainty.

In previous years it has been necessary for Governors to authorize these deficiency certificates in varying amounts from \$200,000 to over half a million dollars. The State has been paying in this manner discounts amounting to many thousand dollars each year. During the present administration it has been necessary, on account of unprecedented advances in prices of supplies and expenses of maintenance, to authorize deficiency certificates in the approximate amount of \$200,000.

I venture to suggest that these discounts might be avoided by the Legislature making a reasonable appropriation in bulk not exceeding \$250,000, its amount based on past experiences of needs, available under similar provisions now employed for authorizing deficiency certificates, to be expended to meet these emergencies, thus giving the State the benefit of cash prices for supplies and labor in these emergencies. If this action is taken by the Legislature, and the present statute repealed, not

only will the State be benefited, but the constitutionality of the act will be insured, relieving a doubt as to the validity of the present law.

(e) State Depository Law.

The Thirty-fifth Legislature, in its fourth called session, enacted a State depository law. For reasons enumerated in the proclamation of veto, I felt in duty bound to disapprove the bill. I can not let this occasion pass without expressing to you my desire that you will enact a depository law which will be adequate for the demands of the State.

(f) Free Text Book Amendment.

It devolves upon your body to provide ways and means for putting into effect the recently adopted amendments giving free text books to the school children of Texas.

(g) Women on Managing Boards of State Educational and Eleemosynary Institutions.

Believing it will be a step in the direction of efficiency and progress, I recommend the passage of such amendments to the laws as will permit the appointment of women on the boards of managers of State educational and eleemosynary institutions.

Investigating Committee of the Thirty-fifth Legislature.

The Thirty-fifth Legislature, at its third called session, provided for the appointment of an investigating committee whose duties were defined by resolutions authorizing the committee. As a result of their labors, a report of their recommendations was filed with me and with the Legislature. I commend this report to the closest perusal and highest consideration of your body. It contains much information and many valuable suggestions, but I will not undertake a detailed review of the report.

I have the utmost confidence in your ability, your purpose and the efforts you will put forth to improve the service, and doubtless, after you give this report the careful study of which you are capable, and thresh out through the medium of discussion the conclusions which the committee arrived at, you will, in your combined wisdom, be able to adopt

that which will better the administration of the State government. I commend this report, therefore, to your early attention and, unless the unexpected should happen and result in the enactment by you of that which in my judgment would be injurious to the public service, I shall sanction and approve the conclusions you reach.

District Courts.

I urge the Legislature to make a careful inquiry into the departments of the State government and the functions they are performing, to the end that your body may abolish those offices and departments which are useless and unnecessary and which burden the taxpayers of the State.

To transfer one department from another does not necessarily mean economy. In fact, it is frequently camouflage to use such a method of abolishing an office. Where a transfer of the duties of one department to another would better the service, that method is commendable; but when it is found feasible to abolish an office it should be abolished without substituting for it that which will also constitute an expense.

I wish to call particular attention to the District Courts of the State, and to recommend the appointment by you of a special committee to investigate and report upon such courts as may be dispensed with, and especially in instances where the public service may not suffer by causing increased duties to fall upon another District Court. It is my opinion that quite a saving can be effected for the taxpayers by abolishing useless and unnecessary District Courts.

Conclusion.

Until the armistice was signed by the accredited representatives of this Government, November 11th, 1918, the guiding desire of this administration was to render the State of Texas available to its maximum efficiency in every enterprise having for its end the winning of the war. I feel that by the laws many of you assisted in passing you have wrought well in making that ambition a reality. It is now the controlling ambition of the Chief Executive to render available for the use of our country our every resource, our nerve, enthusiasm and our prayers in an effort to make

Texas a most potent factor in re-establishing the world in the peace which has been made secure. Untrammelled by the necessity of providing for the needs of war, but still guided by the same high principles which made this State effective in war, there is scarcely a limit to the potential ability of Texas, and of yourselves, to participate in the glorious reconstruction.

I bespeak for the people of Texas an abiding faith that before your labors shall have been concluded in this session laws will have been enacted which will make more speedy and more certain a successful reconstruction of our business, which has been interrupted by the recent international conflict—that the people of our State will be a happier, more prosperous and more useful people because of your unselfish work.

The door to my office will be open, and in order that you may help me and I may help you to better accomplish the purposes which bring us here, I invite the members of your body to confer with me freely and frequently with respect to the work we have in hand.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

EXHIBIT "A."

Statement Furnished by Comptroller
as of January 1, 1919.

Y-925, Markings for King's Highway:

Appropriation\$3,000.00

October, 1917—

V. N. Zively.\$ 360.00

March, 1918—

A. L. Gooch. 1,000.00

March, 1918—

A. L. Gooch. 600.00

April, 1918—

A. L. Gooch. 560.00

April, 1918—

A. L. Gooch. 300.00

\$2,820.00

Balance 180.00—\$3,000.00

\$3,000.00 \$3,000.00

Balance 180.00

EXHIBIT "B."

Statement Furnished by Citizens
Bank and Trust Company, as of
January 3, 1919.

W. P. Hobby, Acting Governor, Trustee, King's Highway Fund, in account with Citizens' Bank and Trust Co., Austin, Texas:

1917—

Aug. 25, deposits\$1,546.85

1918—

June 17, deposits 113.15

\$1,660.00

1919—

Jan. 3, canceled checks

returned\$ 600.00

Jan. 3, balance 1,060.00

\$1,660.00

EXHIBIT "C."

Expenditures of Executive Department and Mansion and Grounds.

The following statement is made of expenditures from appropriations for Executive Department and Mansion and Grounds since August 25th, 1917, to January 1, 1919:

Executive Department.

For year ending August 31, 1917:

Y-6—Payment of rewards
and other expenses
necessary for the enforcement of the law,
telegraphing, telephoning and for other
purposes\$1,256.02

Y-8—Books and stationery 7.78

For year ending August 31, 1918:

Z- 1—Salary of Governor...\$3,999.94

Z- 2—Salary of private secretary 2,556.54

Z- 3—Salary of assistant private secretary... 1,710.00

Z- 4—Salary of one stenographer 1,399.88

Z- 5—Salary of porter.... 600.00

Z- 6—Payment of rewards
and other expenses
necessary for the enforcement of the
law, telegraphing,
telephoning and for
other purposes 1,153.40

Z- 7—Payment of rewards and other expenses necessary for the enforcement of the law, heretofore authorized, to be expended under the direction of the Governor	\$ 984.87
Z- 8—Traveling expenses of Governor	452.87
Z- 9—Books and stationery	741.37
Z-10—Freight and postage	528.56
Z-11—Ice	11.40
Z-12—Contingent expenses	99.43
Z-13—To pay Lieutenant Governor for acting as Governor	422.18

For year ending August 31, 1919:

A- 1—Salary of Governor	\$1,333.32
A- 2—Salary of private secretary	866.64
A- 3—Salary of assistant private secretary...	600.00
A- 4—Salary of one stenographer	500.00
A- 6—Payment of rewards and other expenses necessary for the enforcement of the law, telegraphing, telephoning and for other purposes	4,912.80
A- 7—Traveling expenses of the Governor...	43.96
A- 8—Books and stationery	228.46
A- 9—Freight and postage	575.00
A-11—Contingent expenses	82.37

Mansion and Grounds.

For year ending August 31, 1917:

Y-14—Fuel, lights, water, ice and incidentals..	\$ 998.48
Y-12—Repairs, improvements and labor....	41.60

For year ending August 31, 1918:

Z-14—Repairs, improvements and labor, Governor's Mansion	3,805.11
Z-15—Labor and employes, Governor's Mansion	1,000.00
Z-16—Fuel, lights, water, ice and telephone..	1,489.60

For year ending August 31, 1919:

A-12—Governor's Mansion, including repairs, improvements to the mansion and grounds	
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and necessary labor to care for same, repairing and replacing, upholstering and purchasing new furniture and furnishings for use in the mansion	\$ 461.28
A-13—Labor and employes at Mansion	255.00
A-14—Fuel, lights, water, ice and telephone..	402.20

Since August 25, 1917, \$266.64 of Z-1 was paid to J. E. Ferguson, Governor; \$173.27 of Z-2 was paid to J. L. Wroe, private secretary; \$120.00 of Z-3 was paid to J. H. Davis Jr., assistant private secretary. Of Z-13, \$266.64 was paid to W. P. Hobby, Acting Governor, and \$155.54 to R. M. Johnston, Acting Governor.

Committee Resignation.

Senator Dayton filed with the Chair his resignation as a member of the Committee on Enrolled Bills.

The resignation was accepted, and Senator Cousins named as successor to the place. Senator Smith was appointed as chairman of the committee.

At Ease.

At 11:00 o' clock a. m. the Senate, on request of Senator Dayton, stood at ease subject to the call of the Chair.

In the Senate.

(President Pro Tem. Strickland in the chair.)

Senate Bill No. 59.

(By unanimous consent.)

Senator Dean moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 59 put on its second reading.

The motion prevailed by the following vote:

Yeas—22.

Bailey.
Bell.

Ruchanan of Bell.
Buchanan of Scurry.

Caldwell.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Page.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Gibson.	Williford.
Hall.	Woods.

Absent.

Alderdice.	McNealus.
Floyd.	

Absent—Excused.

Carlock.	Westbrook.
Clark.	Witt.
Johnston.	Woodward.

The Chair laid before the Senate on second reading

S. B. No. 59, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 59 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Williford.
Dudley.	Woods.
Faust.	

Absent.

McNealus.	Suiter.
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Absent—Excused.

Carlock.	Westbrook.
Clark.	Witt.
Johnston.	Woodward.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Woods.

Absent.

McNealus.

Absent—Excused.

Carlock.	Westbrook.
Clark.	Witt.
Johnston.	Woodward.

Senator Dayton moved to reconsider the vote by which the bill was finally passed, and table the motion to reconsider.

The motion to table prevailed.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President Pro
Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 1, mileage and per diem.

S. B. No. 2, contingent expenses.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President Pro
Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following:

H. C. R. No. 9, honoring Thirty-sixth Division.

H. C. R. No. 10, providing for form of printed bills.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

House Concurrent Resolution No. 9.

The Chair laid before the Senate H. C. R. No. 9, which was read and ordered printed in the Journal. The resolution follows:

H. C. R. No. 9, relating to the Thirty-sixth Division of the American Expeditionary Forces in France:

Whereas, The Thirty-sixth Division of the American Expeditionary Forces has gone down in history as one of the greatest units of heroic soldiers the world has yet produced; and

Whereas, The Thirty-sixth Division, which is made up of our sons and our neighbors' sons to a very large degree, is about to be ordered home for demobilization, they having performed their part in the great victorious struggle for the maintenance of peace and prosperity of the world and for democracy; and

Whereas, It is but the natural desire for every mother, every wife, every sweetheart and every father to be at the ship's side to welcome these heroes at the very first moment possible when they come home; and

Whereas, This great pleasure to the mothers, wives, sweethearts, fathers and to the rest of us who are clamoring for the honor of being a party to the glorious reception to which these warriors are justly entitled is beyond the realm of the possible because of the expense and the distance to be traveled to go to the Atlantic seaboard; and

Whereas, The port of Galveston on the Gulf of Mexico has, through its commercial association, submitted to the Secretary of War of the United States a brief setting forth the port's adequate facilities and the patriotic desire of the citizens of Galveston to handle the disembarkation at Galveston, one of the greatest ports of the world; therefore, be it

Resolved, That we, the members of the Thirty-sixth Legislature of the State of Texas, now regularly assembled in session, do hereby respectfully request of the Secretary of War that he issue an order directing that the Thirty-sixth Division, American Expeditionary Forces, now on duty in France, upon its return be ordered to Galveston, Texas, for disembarkation; and be it further

Resolved, That we do hereby express to the Honorable Secretary of War our appreciation as representatives of the people of Texas of the

granting of this order; and be it further

Resolved, That the Secretary of the Senate and Chief Clerk of the House of Representatives of the State of Texas be, and are hereby, directed to transmit a copy of this resolution to the Secretary of War of the United States of America, and a copy to each United States Senator from Texas and to each member of the House of Congress of the United States of America representing congressional districts of the State of Texas; and be it further

Resolved, That in the event the citizens of Texas are permitted to have this great privilege of paying proper honor to their returning sons, that His Excellency, William P. Hobby, Governor of Texas, is hereby requested to set and declare the date of the arrival of the "Fighting Thirty-sixth" a legal holiday, that each and every loyal Texan may be afforded the opportunity to participate in a befitting reception for the homecoming.

Signed: Malone, Miller of Dallas, Bledsoe, Osborne, Wigington, Marshall, Brown of Tarrant, Scott, Beason, Brady and McDonald.

The resolution was read and referred to the Committee on Military Affairs.

House Concurrent Resolution No. 10.

By unanimous consent and on request of Senator Caldwell, the Chair laid before the Senate the following:

H. C. R. No. 10, providing for the form of printing House bills.

The resolution was read and adopted.

Simple Resolution No. 23.

Resolved, That the Committee on Privileges and Elections, when trying the contested case of Glasscock vs. Parr, and when the evidence is being adduced, hold its sessions in the Senate Chamber, and in order that all Senators so desiring may be afforded an opportunity of hearing the trial of the case.

BAILEY.

The resolution was read and laid on the table subject to call.

(Senator Floyd in the chair.)

Inauguration Arrangements.

Committee Room,
Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President Pro Tem. of the Senate, and Hon. R. E. Thomason, Speaker of the House of Representatives:

Sirs: Your joint committee, appointed to make arrangements to count the vote and arrange for the inauguration of the Governor and Lieutenant Governor, beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of Representatives on Monday, the 20th day of January, A. D. 1919, at 10:30 o'clock a. m., for the purpose of counting said votes, and that the House and Senate shall sit in joint session in the Hall of the House of Representatives on Tuesday, the 21st day of January, 1919, at 12 o'clock noon, at which time the joint committee will escort the Governor and Lieutenant Governor-elect to the Speaker's stand and the oath of office will be administered to them by the Honorable Nelson Phillips, Chief Justice of the Supreme Court of Texas.

WOODS,
SUITER,
DEAN,

On the part of the Senate.

CANALES,
ROGERS,
MURPHY,
SEAGLER,
PEEVY,

On the part of the House.

The foregoing report was laid before the Senate, read and adopted.

Bills Signed.

The Chair, President Pro Tem. Strickland, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 1, A bill to be entitled "An Act appropriating the sum of one hundred and twenty-five thousand (\$125,000.00) dollars, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the mileage and per diem of members of the Thirty-sixth Legislature and the sal-

aries and per diem of officers and employes of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act making appropriation of the sum of thirty thousand (\$30,000.00) dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

Adjournment.

At 12:35 o'clock p. m. the Senate, on motion of Senator Gibson, adjourned until 10 o'clock on Monday morning.

APPENDIX A.

Committee Reports.

(Floor Report.)

Senate Chamber,
Austin, Texas, Jan. 16, 1919.

Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

H. C. R. No. 6, "A resolution authorizing the Superintendent of Public Buildings and Grounds to permit Oscar Raines to erect, maintain and operate a lunch counter and cigar stand in the lobby of the New Land Office building,"

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass but be not printed.

Dayton, Chairman; Alderdice, Bailey, Caldwell.

Committee Room,
Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 36, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited;"

to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting and for the qualification of such State Depositories, providing for the distribution of such State funds among such depositories; repealing all laws in conflict and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Jan. 16, 1919.
Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: The Committee on Civil Jurisprudence, to whom was referred

S. B. No. 16, A bill to be entitled "An Act to amend Chapter 2, Title 25, of the Revised Civil Statutes of the State of Texas, relating to incorporation of drilling companies,"

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,
Austin, Texas, Jan. 16, 1919.
Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 46, A bill to be entitled "An Act to authorize the Attorney General to prepare, have published and distributed Peace Officer's Manual containing all laws of the State of Texas, prescribing and pertaining to the duties, authority, activities and responsibility of peace officers, with comment and explanations and making an appropriation therefor,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,
Austin, Texas, Jan. 16, 1919.
Hon. J. J. Strickland, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred

S. B. No. 39, A bill to be entitled "An Act to amend Article 918 of the Code of Criminal Procedure of 1911,

relating to the giving of recognizance on appeal by providing that in case the defendant shall fail to enter into recognizance during the term of court at which he was tried, he may be permitted to give bail and obtain his release from custody by giving, after the expiration of such term of court, his bail to the sheriff, in an amount fixed by the court,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,
Austin, Texas, Jan. 16, 1919.
Hon. J. J. Strickland, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 8, being a resolution "Proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20 thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange in the State of Texas of spirituous, vinous or malt liquors or medicated bitters, capable of producing intoxication, or any intoxicant whatever, except for medicinal, mechanical, scientific or sacramental purposes, and providing that the Legislature shall enact laws to enforce this section; providing that, until the Legislature shall prescribe other or different regulations on the subject, the sale of spirituous, vinous or malt liquors or medicated bitters, capable of producing intoxication, or any intoxicant whatever, for medicinal purposes shall be made only in cases of actual sickness and then only upon prescription of a regular practicing physician, subject to certain regulations with reference to the same; providing that this amendment shall be self operative, and until the Legislature shall provide other or different penalties, the violation of any part of this constitutional provision shall be deemed a felony punishable by confinement in the penitentiary for a term of years specified, without the benefit of any law providing for suspended sentence; conferring authority upon the district courts and judges thereof, under their equity powers, to issue upon suit of the At-

torney General injunctions against infractions or threatened infractions of any part of this constitutional provision; providing that, without affecting the provisions herein, intoxicating liquors are declared to be subject to the general police power of the State; declaring that the Legislature shall have power to pass any additional prohibitory law or laws in aid thereof which it may deem advisable; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment and prescribing certain rules and regulations with reference to the same; declaring that the provisions of the general election law shall govern in all respects as to qualification of electors and method of holding the election and in all other respects where applicable; directing proclamation for the election and making certain provisions for the election and ballots thereof and method of voting; prescribing certain duties for the Governor of State; and making an appropriation to carry out this resolution."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass with the following amendment:

Strike out in Section 2 the words "Fourth Saturday in May, being the twenty-fourth day of May, A. D. 1919," and in lieu thereof substitute the following, "Third Saturday in August, A. D. 1919, the same being the sixteenth day of said month."

BUCHANAN of Bell, Chairman.

Committee Room,
Austin, Texas, Jan. 16, 1919.

Hon. J. J. Strickland, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 2, being a resolution proposing to amend Section 2, Article 6, of the Constitution of the State of Texas, so that it shall hereafter, in substance, provide that every person, male or female, subject to no constitutional disqualifications, who shall have attained the age of twenty-one years and who shall reside in this State one year next preceding an election and the last six months within the district or county in which he offers to vote, shall be deemed a qualified elector; providing electors

shall vote in the election precinct of their residence; declaring that the electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes; providing that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before he or she shall offer to vote at any election in this State and hold a receipt showing that poll tax has been paid before the first day of February next preceding such election; declaring that if said voter shall have lost or misplaced such tax receipt, he or she shall be entitled to vote upon making an affidavit that such tax receipt has been lost, which affidavit must be in writing and left with the judge of the election; and declaring that all laws now on the statutes relating to qualified voters and governing and regulating elections shall apply to male and female voters alike; and all laws relating to elections shall remain in full force and effect until changed or modified by the Legislature, and declaring that this amendment to the Constitution shall be self-enacting."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following amendment:

Strike out, in Section 2, the words "fourth Saturday in May, being the twenty-fourth day of May, A. D. 1919," and insert in lieu thereof the following, "third Saturday in August, A. D. 1919, the same being the sixteenth day of said month."

BUCHANAN of Bell, Chairman.

Committee Room,
Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 59, A bill to be entitled "An Act to make certain emergency appropriations out of the General Revenue for the several institutions and departments of the Government for the fiscal year ending August 31, 1919, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed:

DEAN, Vice Chairman.